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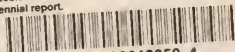
FOR THE
BIENNIUM ENDING
JUNE 30, 1982

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DEPARTMENT OF COMMERCE



TED SCHWINDEN, GOVERNOR

CAPITOL STATION
1424 9TH AVENUE

STATE OF MONTANA

(406) 449-3494

HELENA, MONTANA 59620-0401

October 7, 1982

The Honorable Ted Schwinden, Governor
State of Montana
State Capitol
Helena, Montana 59620

Dear Governor Schwinden:

In accordance with the requirements of sections 37-1-106, MCA and 2-7-102, MCA, there is herewith transmitted to you and members of the 48th Legislature, the First Biennial Report of the Professional and Occupational Licensing Bureau, Department of Commerce. This report has been prepared by the Department, in cooperation with the 30 professional and occupational licensing boards of our POL Bureau.

This biennial report contains a summary of board activities; board goals and objectives; a detailed breakdown of board revenues and expenditures; statistics illustrating board activities concerning licensing; summary of complaints received and their disposition; number of licenses revoked or suspended; legislative or court action affecting the board; and other information the Department or Board considers relevant.

This biennial report covers the period of time from July 1, 1979 through June 30, 1981, for the Department of Professional and Occupational Licensing. This Department was reorganized during the 1981 Legislative Session to a Bureau status within the Department of Commerce.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary Buchanan".

Gary Buchanan, Director

GB/em



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BOARD OF ARCHITECTS

I. GOALS AND OBJECTIVES

Goals: To promulgate and maintain a standard of competence in the practice of architecture in Montana consistent with the interests of its citizens in providing for health, safety, and welfare, and to protect the public from unprofessional, improper, unauthorized, and unqualified practitioners.

Objectives: Renew all valid licenses annually and process all qualified candidates for licensing. Conduct testing sessions for qualifying and professional examinations. Process applicants for reciprocal licensing. Participate in state, regional, and national meetings, workshops, and committees to coordinate the practice of architecture in Montana with other states and territories. To ensure the qualified Montana architect ready access to other states by means of reciprocity. To investigate all legitimate complaints of incompetent or illegal practice, and to pursue all such complaints through legal means when circumstances so justify.

II. SUMMARY OF BOARD ACTIVITIES

Five board meetings were held during FY 80 and four in FY 81.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications received	63	71
Number of examinations (individuals)	76	77
Number of examinees passing	30	35
Number of new licenses	18	16
Number of reciprocity licensees	32	44
Number of licenses renewed	636	661
Total Number of Licensees	642	667

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Engineer performing architectural services	Architect and Engineering board investigated - no violation	1	1
Non-licensed person performing architecture services	Informal board meeting with both parties concerned - letter of warning - resolved	1	5
Electrical company performing architectural services without a licensed architect	No evidence - dropped	1	
Licensed architects seal being used by non-licensed person	Local investigator - no evidence - dropped	1	
Architect branch office not under the control of a resident Montana licensed architect	Local investigator - no evidence - dropped	1	

BOARD OF ARCHITECTS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Architect complained of re-prints of his plans	No authority		1
Advertising - firm advertising as architects in telephone book	No violation		1
Firm providing architectural services without a licensed architect - exam candidates claiming experience under this firm	Investigated by contracted investigator - pending	1	

V. NUMBER OF LICENSES REVOKED OR SUSPENDED

Revoked (disciplinary)	0	0
Suspended (disciplinary)	0	0
Failure to pay renewal fee - void license	15	18

VI. FISCAL INFORMATION

REVENUE:

Architect original	960	1,000
Architect renewal	12,240	12,800
Penalty fee/ late renewal	0	0
Architect reciprocity	2,300	1,880
Architect Exam	2,482	2,646
Architect re-exam	1,298	2,496
Architects Roster	4	0
Total Revenue	\$19,284	\$20,822

EXPENDITURES:

PERSONAL SERVICES:

Salaries - employees	5,245	5,398
Other Compensation - board	550	650
Employee Benefits	967	1,051
Total Personal Services	\$ 6,762	\$ 7,099

CONTRACTED SERVICES:

Consultant & Professional Services	393	2,057
Data Processing Services	4	
Legal Fees & Court Costs	583	651
Printing-Contracted	236	106
Written Exam Fees	3,767	3,720
Inspection Fee	18	
Total Contracted Services	\$ 5,001	\$ 6,534

SUPPLIES & MATERIALS:

Office	121	138
Photo & Reproduction	392	94
Printing-Duplicating	206	96
Books	6	0
Food	23	0
Total Supplies & Materials	\$ 748	\$ 328

BOARD OF ARCHITECTS

	<u>FY 80</u>	<u>FY 81</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	63	165
Postage & Mailing	807	1,043
Telephone-STS Usage	66	120
Local Service & Equipment	12	0
Advertising	125	0
Total Communications	\$ 1,073	\$ 1,328
TRAVEL:		
In-State Personal Car Mileage	164	466
In-State Motor Pool	70	104
In-State Meals	70	112
In-State Lodging	0	63
Out-of-State Commercial Transportation	643	588
Out-of-State Other	128	203
Out-of-State Meals	171	78
Out-of-State Lodging	320	317
Total Travel	\$ 1,566	\$ 1,931
RENT:		
Meeting rooms	493	170
Total Rent	\$ 493	\$ 170
REPAIR & MAINTENANCE:		
Office Equipment	17	25
Total Repair & Maintenance	\$ 17	\$ 25
OTHER EXPENSES:		
Miscellaneous expense	283	6
Dues	375	450
Registration Fees for Training	100	150
Freight & Express	6	40
Total Other Expense	764	646
TOTAL OPERATING EXPENSE	\$ 9,662	\$10,962
EQUIPMENT:		
Office	\$ 9	\$ 0
TRANSFER ADMINISTRATIVE COSTS	\$ 1,316	\$ 1,725
TOTAL ALL EXPENDITURES	\$17,749	\$19,786
TOTAL APPROPRIATION	\$19,220	\$20,279
UNEXPENDED APPROPRIATION	\$ 1,471	\$ 493
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$52,233	\$54,627

VII. BOARD MEMBERSHIP DURING BIENNIUM

Martin W. Crennen, A.I.A., 1 N. Last Chance Gulch, Helena, MT.	3/27/82
Harold C. Rose, 109-B Gallatin Dr., Bozeman, MT.	3/27/83
George C. Page, A.I.A., Box 3005, Great Falls, MT.	3/27/84
Bonnie B. Donohue, 1014 Durango St., Great Falls, MT.	7/1/82

BOARD OF ARCHITECTS

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

None

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Continue to revise laws, rules and regulations to better comply with the public needs and recommendations of the Sunset Audit. To review the possibilities of mandatory continuing education requirements for renewal of license. To increase the FTE for FY 84 & FY 85. To develop a method for architectural office and site inspections. To increase the budget for FY 84 and FY 85 which will allow the board to function in a more efficient manner.

BOARD OF ATHLETICS

I. GOALS AND OBJECTIVES

Goals: To protect the public from fraud in athletic events, and to issue licenses to those promoters that are determined to be competent and qualified.

To assure the public that professional boxing and wrestling events are held in compliance with the law and rules of the board

Objectives: To assure the public that professional boxing and wrestling events held in this state are conducted as provided by law and rules of the board. To require that all athletes are certified as to physical fitness prior to an athletic event by a licensed medical practitioner.

II. SUMMARY OF THE BOARD ACTIVITIES

No board meetings were held in FY 80 and one board meeting was held in FY 81. Five boxing cards and 37 wrestling cards were conducted during FY 80. Two boxing cards and 24 wrestling cards were conducted during FY 81. Adopt rules so that "so you think you are tough" fights could not legally take place in Montana on September 30, 1980, after board determination that this type of event was harmful to the participants and not in the public interest.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications received and granted by category		
Promoters	6	3

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Dishonored checks and non-payment of fees	promoter issued bad checks to manager and businesses Promoters son came in and paid all outstanding debts to business. Manager and promoter settled personally. No board hearings resulted. However, board issued letter of reprimand to promoter. Suggested Promoter get a US bank account, which he did, as he was Canadian.	2	1
Athlete Attacking Fan	No action taken in FY 80 as board out of funds. However, interviewed fans present and wrestlers, police and it was found fan was drinking and had hit the wrestler with a chair and so the wrestler hit the fan back.	0	-

BOARD OF ATHLETICS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
	No other action was taken by the board.		
Violation of law and rules	Promoter did not apply for sanction, did not have physicals for boxing matches. Contested in court and board was ordered to allow boxing card to go on. This case was not closed or completed at time of Sunset Audit, mostly because of lack of funding in the two fiscal years to take further court action against this promoter.	1	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

No licenses were revoked or suspended during the biennium

VI. FISCAL INFORMATION

REVENUE:

License fees	500	300
Gross Proceeds Tax	<u>5,692</u>	<u>2,551</u>
Total Revenue	6,192	2,851

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages - employees	1,300	1,714
Employee Benefits	<u>288</u>	<u>382</u>
Total Personal Services	1,528	2,096

CONTRACTED SERVICES:

Consultant & Professional Services	61	82
Legal Fees & Court Costs	137	1,407
Printing - Contracted	<u>198</u>	<u>106</u>
Total Contracted Services	198	1,595

SUPPLIES & MATERIALS:

Office	10	6
Photo & Reproduction	17	12
Printing-Duplicating	22	16
Building Material	<u>0</u>	<u>500</u>
Total Supplies & Materials	49	534

COMMUNICATIONS:

Telephone-Long Distance Usage	52	480
Postage & Mailing	58	72

BOARD OF ATHLETICS

	<u>FY 80</u>	<u>FY 81</u>
Telephone - STS Usage	<u>9</u>	<u>61</u>
Total Communications	119	613
TRAVEL:		
In-state Personal Car Mileage	214	431
In-state Commercial Trans.	129	0
In-state Motor Pool	19	50
In-state Meals	42	59
In-state Lodging	<u>21</u>	<u>7</u>
Total Travel	425	547
RENT:		
Meeting rooms	<u>0</u>	<u>25</u>
Total Rent	0	25
OTHER EXPENSES:		
Dues	<u>200</u>	<u>0</u>
Total Other Expenses	200	0
TOTAL OPERATING EXPENSES	\$ 991	\$ 3,314
TRANSFER ADMINISTRATIVE COSTS	\$ 282	\$ 322
TOTAL ALL EXPENDITURES	\$ 2,801	\$ 5,732
TOTAL APPROPRIATION	\$ 2,969	\$ 5,892
UNEXPENDED APPROPRIATION	\$ 168	\$ 160
EARMARKED REVENUE ACCOUNT BALANCE - FYE	\$18,078	\$16,160

VII. BOARD MEMBERSHIP DURING BIENNium

Patrick J. Connors, 506 Cedar St., Anaconda, MT. 59711 3/1/81

Charles A. George (Sonny O'Day), 403 - 3rd St., Laurel, MT. 3/1/82

Neil Kirkness, Lions Den, West Park Plaza, Billings, MT. 3/1/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 322, L. 1981 provided for the elimination of all references to the Board of Athletics and to be effective July 1, 1981.

Chapter 471, L. 1981 provided for county and municipal regulation of boxing and wrestling matches, requiring safety rules and authorizing the collection of taxes on the proceeds of such events and to be effective July 1, 1981.

BOARD OF BARBERS

I. GOALS AND OBJECTIVES

To assure the public that all barbers meet minimum standards of competency, knowledge and training; and to assure the public that all barbershops are operated and maintained in a sanitary condition. To assure the public that all barber schools have a curriculum, facilities and personnel to provide basic barbering education and training to students. To exam applicants for licensing, to inspect barber shops and administer law, rules and regulations pertaining to barbers, shops and schools.

To hold four examinations for approximately 30 applicants per examination, inspect all barber shops and schools at least once per year; administer rules and regulations pertaining to licensing.

The board of barbers issues licenses to qualified barbers and to barber shops and schools, conducts shop inspections for sanitation compliance.

To provide information to the public, licensees and applicants as requested.

II. SUMMARY OF BOARD ACTIVITIES

Ensures the public that all barbers are properly licensed and comply with the laws concerning the sanitation laws of the state.

Examine all barber applicants to ensure the public that they are qualified to be a barber.

Inspected all barber shops to be sure they meet the sanitation requirements for the protection of the public health, safety and welfare.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	FY 80	FY 81
Applications Received by Category		
Apprentice	52	62
Registered	42	68
Total	94	130
Examinations Given by Category (Passing)		
Apprentice	52 (52)	62 (59)
Registered	35 (33)	55 (48)
Total	87 (85)	117 (107)
New Licenses Granted by Category		
Apprentice	52	59
Registered	33	48
Shop	30	30
Total	115	137
Licenses Renewed by Category		
Apprentice	20	2
Registered	604	616
Shop	245	260
Total	869	878

BOARD OF BARBERS

	<u>FY 80</u>	<u>FY 81</u>
Total Licensees at FYE by Category		
Apprentice	60	61
Registered	637	664
Shop	275	290
Total	<u>972</u>	<u>1,015</u>

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Barbering without a license	Made application, examined and licensed	2	2
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V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

No licenses revoked or suspended during biennium

Failure to Pay Renewal Fee		
Apprentice	10	2
Registered	28	57
Shop	35	15
Total	<u>73</u>	<u>74</u>

VI. FISCAL INFORMATION

REVENUE:

Barber College Original/Renewal	0	150
Barber Penalty	965	790
Barber Shop Original/Renewal	4,275	4,765
Barber Original/Renewal	9,120	10,815
Copies of Documents	5	5
Barber Apprentice Exam	1,229	1,513
Barber Exam	1,098	1,380
Barber Shop Inspection	1,000	725
Apprentice Original/Renewal	<u>0</u>	<u>15</u>
Total Revenue	\$17,692	\$20,158

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - employees	3,112	4,042
Other Compensation	2,155	2,055
Employee Benefits	606	873
Total Personal Services	<u>\$ 5,873</u>	<u>\$ 6,970</u>

CONTRACTED SERVICES:

Consultant & Professional Services	94	23
Legal Fees & Court Costs	150	99
Printing-Contracted	180	192
Written Exam Fees	129	312
Other- Private Legal Counsel	124	0
Total Contracted Services	<u>\$ 677</u>	<u>\$ 626</u>

SUPPLIES & MATERIALS:

Office	62	119
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BOARD OF BARBERS

	FY 80	FY 81
Photo & Reproduction	41	55
Printing- Duplicating	182	48
Other - Food	0	2
Total Supplies & Materials	\$ 285	\$ 224
COMMUNICATIONS:		
Telephone-Long Distance Usage	284	164
Postage & Mailing	310	380
Telephone - STS Usage	101	59
Total Communications	695	603
TRAVEL:		
In-state Personal Car Mileage	2,801	2,858
In-state Commercial Transportation	78	0
In-state Meals	733	753
In-state Lodging	510	483
Out-of-state Commercial Transportation	358	0
Out-of-state Meals	115	10
Out-of-state Lodging	215	0
Total Travel	\$ 4,810	\$ 4,104
RENT:		
Meeting Rooms	249	255
Buildings	0	57
Total Rent	\$ 249	\$ 312
REPAIR & MAINTENANCE:		
Office Equipment	8	0
Total Repair & Maintenance	\$ 8	\$ 0
OTHER EXPENSES:		
Dues	50	50
Registration Fees for Training	35	0
Freight & Express	7	11
Total Other Expenses	\$ 92	\$ 61
TOTAL OPERATING EXPENSES	\$ 6,816	\$ 5,930
TRANSFER ADMINISTRATIVE COSTS	\$ 1,236	\$ 1,379
TOTAL ALL EXPENDITURES	\$ 13,925	\$ 14,279
TOTAL APPROPRIATION	\$ 20,269	\$ 20,842
UNEXPENDED APPROPRIATION	\$ 6,344	\$ 6,563
EARMARKED REVENUE ACCOUNT - FYE	\$ 16,952	\$ 23,103

VII. BOARD MEMBERSHIP DURING BIENNIUM

Larry Sandretto, 103 S. Broadway, Red Lodge, MT.	7/1/83
Jim Allen, Montana Barber College, 133 W. Main, Missoula, MT.	7/1/82

BOARD OF BARBERS

Dick Riley, Falls Barber Shop 600 Central Plaza, Great Falls, MT. 7/1/84

Bill Graves, Riverview Barber Shop, 11 Division Rd., Great Falls, MT. 7/1/81

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 554, L. 1981 reestablished the Board of Barbers under existing statutory authority and rules; provided for adding a public member to the board, exempting cosmetologists from prohibitions under barbering laws; granting authority for temporary licenses, requiring annual inspections of barber shops; reducing term of apprenticeship to a 3 month period; and authorizing reciprocal licensing of barbers.

The Montana Supreme Court declared invalid a Board of Barbers rule that apprentices must serve the one year apprenticeship in a commercial barber shop. The Court said that the apprenticeship requirement could be met by teaching activity in a barber college. The Supreme Court decision was reached in April of 1981 and affirmed a District Court decision.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To come up with a system to make sure that all instructors are qualified to teach at the colleges.

To automate the renewal process for quicker and more efficient operations.

CENTRAL SERVICES

I. GOALS AND OBJECTIVES

Goals: To provide the most efficient and effective clerical and administrative services possible for the 30 boards attached to the department for administrative purposes only.

Objectives: Review board budget requests, collect all revenues, deposit in proper accounts, staff agency, print and disseminate required notices, rules or orders, provide office space, establish policy for employees and department. Pay all valid claims, standardize and keep in Helena all official records, arrange for meetings, hearings, examinations as required, investigate complaints at request of a board, assess the costs of the department to the boards on basis of man-days and operating costs, appoint impartial legal counsel to conduct hearings, coordinate record retention schedules and records disposal, maintain equipment inventory, represent agency in communication with the governor and to meet with public, individual boards, applicants, and other agencies of government.

II. SUMMARY OF ACTIVITIES

1. Completed inventory of all department equipment and recorded to PAMS.
2. Completed the Employee Performance Appraisal Form under Policy 3-0115 for all full-time employees.
3. Prepared and received approval of 36 separate Records Disposal Requests during 2 years.
4. Prepared and transferred to Montana Historical Society remaining records of 2 Sunset Boards.
5. Transferred to Surplus Property equipment no longer needed.
6. Completed a Financial Audit of the Department on October 26, 1979, a Performance Audit on December 12, 1980 and 21 Sunset Reviews during the biennium.

III. STATISTICS ILLUSTRATING ACTIVITIES

	<u>FY 80</u>	<u>FY 81</u>
Transfer Warrant Claims	1659	1497
Expenditure Accrual Reports	12	9
Collection Reports	125	94
No-Warrant Transfers	99	117
Requisitions	104	62
Journal Vouchers	67	63
Purchase Order Adjustments	3	5
Warrant Cancellation Notices	8	4
Bad Debt Certifications	2	0

IV. FISCAL INFORMATION

	<u>FY 80</u>	<u>FY 81</u>
REVENUE:		
Appropriation Transfers from Boards	82,000	95,000
Department Legal	24,012	22,383
Postage Reimbursement	0	300

CENTRAL SERVICES

	<u>FY 80</u>	<u>FY 81</u>
Refunds	0	389
Copies of Documents	37	0
Total Revenue	\$106,049	\$118,072

EXPENDITURES:

PERSONAL SERVICES:		
Hourly Wages	71,625	75,281
Employee Benefits	10,926	12,201
Total Personal Services	82,551	87,482

CONTRACTED SERVICES:		
Consultant & Professional Services	344	426
Data Processing Services	43	0
Printing-Contracted	323	265
Insurance & Bonds	1,818	1,977
Janitorial Services	2,325	2,482
Payroll Service Fees	470	0
Total Contracted Services	5,323	5,150

SUPPLIES & MATERIALS:		
Office	1,762	951
Photo & Reproduction	340	254
Printing - Duplicating	207	533
Books	190	483
Food	21	51
Professional	0	23
Shop Supplies	0	3
Publication Expense	0	208
Total Supplies & Materials	2,520	2,506

COMMUNICATIONS:		
Telephone - Long Distance Usage	174	12
Postage & Mailing	294	342
Telephone - STS Usage	94	80
Telephone Local Service & Equipment	4,281	4,200
Messenger Service	324	324
Telephone One-Time Charge	32	0
Total Communications	5,199	4,958

TRAVEL:		
In-State Personal Car Mileage	57	0
In-State Meals	9	0
In-State Lodging	7	0
Total Travel	73	0

RENT:		
Buildings - Office	17,211	17,408
Total Rent	17,211	17,408

GOODS PURCHASE FOR RESALE:		
Merchandise	5	0
Books	29	160
Total Goods Purchased for Resale	34	160

CENTRAL SERVICES

	<u>FY 80</u>	<u>FY 81</u>
REPAIR & MAINTENANCE:		
Office Equipment	558	412
Total Repair & Maintenance	<u>558</u>	<u>412</u>
UTILITIES:		
Electricity	996	999
Water & Sewer	24	0
Total Utilities	<u>1,020</u>	<u>999</u>
OTHER EXPENSES:		
Dues	35	0
Licenses	0	10
Subscriptions	71	190
Training Fees	0	10
Freight & Express	3	5
Indirect Administrative Costs	50	0
Total Other Expenses	<u>159</u>	<u>215</u>
TOTAL OPERATING EXPENSES	32,097	31,808
EQUIPMENT:		
Office	3,239	1,675
Total Equipment	<u>3,239</u>	<u>1,675</u>
TOTAL ALL EXPENDITURES	<u>\$117,887</u>	<u>\$120,965</u>
TOTAL APPROPRIATION:	\$120,778	\$126,774
UNEXPENDED APPROPRIATION	\$ 2,891	\$ 5,809
earmarked revenue account balance - FYE	\$ 9,377	4,306

V. LEGISLATIVE ACTION AFFECTING THIS AGENCY:

Chapter 66, L. 1981 deletes the requirement that dentists, osteopathic physicians, podiatrists, optometrists, and chiropractors must register their licenses in counties where they practice.

Chapter 242, L. 1981 requires that any person, firm, corporation, or association that performs investigations or reviews for a state professional or occupational licensing board to make the records of the review or investigation available to the board and the Legislative Auditor.

Chapter 244, L. 1981 deletes the requirement that appointments by the Governor of members to the boards of dentistry, podiatry examiners, pharmacists, nursing home administrators, speech pathologists and audiologists, hearing aid dispensers, veterinarians, and physical therapists be made from lists submitted by private associations.

Chapter 246, L. 1981 specifies the disciplinary authority of licensing boards within the department.

Chapter 247, L. 1981 provides for Senate confirmation of members of the boards of dentistry, osteopathic physicians, optometrists, chiropractors, radiologic technologists, speech pathologists and audiologists, hearing aid dispensers,

CENTRAL SERVICES

psychologists, veterinarians, barbers, cosmetologists, massage therapists, physical therapy examiners, sanitarians, landscape architects, professional engineers and land surveyors, plumbers, and athletics.

Chapter 258, L. 1981 includes dentists in the freedom of choice requirement for disability insurance policies regarding selection of health care practitioners.

Chapter 274, L. 1981 provides for the Department of Professional and Occupational Licensing to be merged with certain functions of the Department of Community Affairs and the Department of Business Regulations and to rename that department the Department of Commerce, effective July 1, 1981.

Chapter 293, L. 1981 provides that the department allocate central services costs based on an equitable criteria; prescribe format of forms used by licensing boards; requires applicants for licensure or renewal to report any legal or disciplinary actions against them relating to their area of licensure; and requires the department to submit a biennial report to the Governor and the Legislature describing each licensing board's activities during the biennium.

Chapter 345, L. 1981 authorizes and requires licensing boards within the department to establish fee schedules that set fees reasonably commensurate with the costs incurred in administering the various program areas within their jurisdiction.

Chapter 466, L. 1981 changes the automatic effective date of non-appropriations statutes from July 1 to October 1.

Chapter 474, L. 1981 provides for uniform compensation and travel expenses for the boards of athletics, medical examiners, dentists, osteopathic physicians, podiatry examiners, pharmacists, nursing, nursing home administrators, optometrists, physical therapy examiners, chiropractors, radiologic technologists, speech pathologists and audiologists, hearing aid dispensers, psychologists, veterinarians, morticians, barbers, cosmetologists, massage therapists, sanitarians, public accountants, realty regulation, architects, landscape architects, professional engineers and land surveyors, and plumbers.

Chapter 582, L. 1981 increases the amount authorized for travel expenses and meal reimbursement for persons in state service.

BOARD OF CHIROPRACTORS

I. GOALS AND OBJECTIVES

Goals: To regulate the chiropractic profession in Montana by examining and licensing only those who meet statutory qualifications and to assure the public of professional competence by monitoring all licensee's in the chiropractic field.

Objectives: To provide investigations on complaints in an expedient and thorough manner. To provide daily assistance to all licensees and the public. To hold a minimum of two examinations per year. To continue monitoring for professional competence. To continue working relationship with the Worker's Compensation Division and insurance companies regarding chiropractic health care.

II. SUMMARY OF BOARD ACTIVITIES

Five board meetings were held during FY 80 and three during FY 81. Two examinations were held each fiscal year and monitored in-state continuing education programs. Because of complaints in the insurance claim area, the board issued a warning letter to all licensed in-state chiropractors stating that they would cooperate with the Workmens Compensation Division and various insurance companies on all insurance abuse complaints.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications Received and Examinations Given By Category (passing)	<u>FY 80</u> 28(21)	<u>FY 81</u> 25(19)
New Licenses Granted By Category		
Chiropractor	21	19
Temporary Permits Issued	3	3
Licenses Renewed By Category		
Chiropractor	172	190
Total Licensees at FYE By Category	196	212

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Falsifying Worker's Compensation or Insurance Co.	7	4
All problems on insurance claims resolved with letters of reprimand. Two cases involved investigative meetings.		
Excessive fees and referred back to complainant due to lack of board authority in fee area.	2	1
Unprofessional Conduct:		
A licensee who informed board he was giving up his license because he was no longer engaged in chiropractice, but involved in "humanics". Complaint received during period of licensure. License revoked.	1	

BOARD OF CHIROPRACTORS

	<u>FY 80</u>	<u>FY 81</u>
Investigation revealed lack of communication between licensee and patient. Licensee instructed to better inform his patients of procedures and he agreed.	0	1
Total	10	6

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	1	0
Reprimands	7	4
Failure to Pay Renewal Fee	5	4

VI. FISCAL INFORMATION

REVENUE:

Application Fee	1,550	1,150
Renewal	4,375	6,615
Re-exam Fee	50	125
Reinstatement	10	65
Total Revenue	5,985	7,955

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages - employees	2,845	2,138
Other compensation-board	700	600
Employee Benefits	505	380
Total Personal Services	4,050	3,118

CONTRACTED SERVICES:

Consultant & Professional Services	214	201
Data Processing Services	4	0
Legal Fees & Court Costs	469	237
Printing-Contracted	57	87
Total Contracted Services	744	525

SUPPLIES & MATERIALS:

Office	37	41
Photo & Reproduction	69	23
Printing-Duplicating	65	141
Other - food	2	0
Total Supplies & Materials	173	205

COMMUNICATIONS:

Telephone-Long Distance Usage	289	167
Postage & Mailing	252	210
Telephone-STS Usage	40	44
Total Communications	581	421

BOARD OF CHIROPRACTORS

	<u>FY 80</u>	<u>FY 81</u>
TRAVEL:		
In-state Personal Car Mileage	764	510
In-state Commercial Trans.	96	0
In-state Motor Pool	36	75
In-state Meals	291	286
In-state Lodging	279	349
Out-of-state Commercial Transportation	250	0
Total Travel	<u>1,716</u>	<u>1,220</u>
RENT:		
Meeting Rooms	10	35
Total Rent	<u>10</u>	<u>35</u>
OTHER EXPENSES:		
Dues	100	100
Total Other Expenses	<u>100</u>	<u>100</u>
TOTAL OPERATING EXPENSES	\$ 3,324	\$ 2,506
TRANSFER ADMINISTRATIVE COSTS	\$ 622	\$ 806
TOTAL ALL EXPENDITURES	\$ 7,996	\$ 6,430
TOTAL APPROPRIATION	\$ 7,996	\$ 7,250
UNEXPENDED APPROPRIATION	\$ 0	\$ 820
EARMARKED ACCOUNT BALANCE-FYE	\$ 1,277	\$ 2,891

VII. BOARD MEMBERSHIP DURING BIENNIUM

Jarl Hoklin, D.C., 317 - 1st ., Laurel, MT.	1/9/81
Carrol Albert, D.C., 219 - 2nd St. N., Great Falls, MT.	1/9/82
Lauren C. Weis, D.C., 1665 A Grand Ave., Butte, MT.	1/9/83
C. R. Grow, D.C., 114 Main St., Wolf Point, MT	1/9/84

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 155, L. 1981 reestablished the Board of Chiropractors under existing statutory authority and rules for a six year period ending on July 1, 1987; adding a public member to the board; and amending the continuing education requirements.

In August of 1979 the board received an attorney general's opinion that college level examination program (CLEP) credits could not be substituted for the statutory requirement of "two full academic years of college or university work" from an applicant for a chiropractice license

IX RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

That the statutes be changed to allow for more than 4 meetings a year so

BOARD OF CHIROPRACTORS

that special meetings may be held when considered necessary. Board members recommend an insurance seminar for all new licensees by the Montana Chiropractic Association to help alleviate some of the problems concerning insurance or to request that all senior students be given on credit for Office Management and to include insurance reporting. Increase in funding to allow one board member to attend semi-annual meeting of Federation of Chiropractic Licensing Boards on examinations and continuing education.

BOARD OF COSMETOLOGISTS

I. GOALS

To protect the health, safety and welfare of the consuming public. To promote professional and ethical standards of cosmetologists and electrologists. To continue to improve and revise the laws and rules governing cosmetology, whenever appropriate, to meet the best interest of the consuming public. To exercise a continued awareness of upgrading the professional standards of practitioners.

II. SUMMARY OF BOARD ACTIVITIES

To continue their study of improving education and examinations for instructors and students of cosmetology, thereby ensuring that only qualified persons may teach and practice cosmetology in Montana.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received By Category		
Student and Instructor	302	347
Reciprocal	14	26
Cosmetology Salons	123	107
Electrology Salons	1	3
Cosmetology Schools	0	1
Total	<u>440</u>	<u>484</u>
Examinations Given By Category -Show Passing in()		
Student and Instructor	302 (280)	347 (307)
New Licenses Granted By Category		
Operator, Manager & Instructor(includes reciprocal)	294	333
Cosmetology Salons	123	107
Electrology Salons	1	3
Cosmetology Schools	0	1
Licenses Renewed By Category		
Operator	1,494	1,422
Manager	2,855	3,053
Salons	781	777
Instructors	85	90
Schools	13	14
Electrologists	11	15
Electrology Salons	9	10
Total Licensees	<u>5,248</u>	<u>5,381</u>
Students Registered in Cosmetology Schools	438	457

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Denial of application for a salon license. Became contested case. Hearing was dismissed because of change in location of salon to approved premises. Salon was licensed.

1 0

Denial of application for a manager license. Became

BOARD OF COSMETOLOGISTS

	<u>FY 80</u>	<u>FY 81</u>
contested case. Hearing was dismissed after submission of needed documentation. Individual licensed.	1	0
Complaint concerning licensees working in their home without salon license. Letter written to alleged violators and each denied allegations. No further action taken.	0	1

V. FISCAL INFORMATION

REVENUE:

Temporary Licenses	1,152	1,156
Operator Licenses	9,054	8,818
Manager-Operator Licenses	28,559	60,777
Salons	7,810	7,767
Teacher	910	900
Teacher Training/Advance Training & Schools	1,390	1,250
Duplicate Licenses	174	160
Student Registrations	1,522	1,652
Penalty Fees	7,044	5,147
Reciprocal License Fees	880	1,296
Electrology	190	280
Electrology-Other	70	100
Student/Instructor Examinations	6,460	6,870
Salon Initial Inspections	3,075	2,675
Documents & Supplies	490	638
Total Revenue	\$ 68,780	\$99,486

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages-employees	32,847	25,837
Other Compensation-board	1,357	1,195
Employee Benefits	6,107	5,488
Total Personal Services	\$40,311	\$32,520

CONTRACTED SERVICES:

Consultant & Professional Services	579	4,318
Legal Fees & Court Costs	377	650
Printing-Contracted	3,691	715
Written Exam Fees	1,114	1,079
Private Legal Counsel	1,118	0
Total Contracted Services	\$ 6,879	\$ 6,762

SUPPLIES & MATERIALS:

Office	140	170
Photo & Reproduction	93	154
Printing-Duplicating	157	264
Total Supplies & Materials	\$ 390	\$ 588

BOARD OF COSMETOLOGISTS

COMMUNICATIONS:	FY 80	FY 81
Telephone-Long Distance Usage	221	152
Postage & Mailing	1,491	2,218
Telephone - STS Usage	218	477
Total Communications	\$1,930	\$ 2,847
TRAVEL:		
In-State Personal Car Mileage	4,938	2,352
In-State Commercial Transportation	495	384
In-State Motor Pool	146	1,449
In-State Other	39	11
In-State Meals	2,538	1,436
In-State Lodging	3,035	1,851
Out-of-State Commercial Transportation	772	1,262
Out-of-State Other	30	0
Out-of-State Meals	214	202
Out-of-State Lodging	420	264
Total Travel	\$12,627	\$ 9,211
RENT:		
Meeting Rooms	195	225
Total Rent	\$ 195	\$ 225
REPAIR & MAINTENANCE		
Office Equipment	71	67
Total Repair & Maintenance	\$ 71	\$ 67
OTHER EXPENSES:		
Dues	100	100
Registration Fees for Training	0	130
Freight & Express	0	10
Total Other Expenses	\$ 100	\$ 240
TOTAL OPERATING EXPENSES	\$22,192	\$19,940
EQUIPMENT:		
Office	1,042	732
Total Equipment	\$ 1,042	\$ 732
TRANSFER ADMINISTRATIVE COSTS	\$ 6,851	\$ 7,002
TOTAL ALL EXPENDITURES	\$70,396	\$60,194
TOTAL APPROPRIATION	\$72,860	\$76,425
UNEXPENDED APPROPRIATION	\$ 2,464	\$16,231
earmarked revenue account balance-fye	30,396	67,821

VI. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

License suspended due to non-reimbursement of NSF Check	0	1
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BOARD OF COSMETOLOGISTS

VII. BOARD MEMBERSHIP DURING BIENNIUM

June Baker, 504 S. Center, Miles City, MT.	7/1/84
Dorothy Turner, 1248 - 7th Ave. N.W., Great Falls, MT.	7/1/83
Jacques Romeijn 2104 Mariposa Lane, Billings, MT.	7/1/81

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 106, L. 1981 provided for the reestablishment of the Board of Cosmetologists for a six year period and to be terminated on July 1, 1987. One public member was added to the board, one year experience requirement for manager-operator was deleted, annual inspection of salons was required, clarified the reciprocal status of manager-operator and a medical doctor was added to the exemption group for electrologists.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

1. Funding to allow the board to provide continuing education for instructors of cosmetology.
2. Proposal to change 37-31-308, MCA to allow the board to provide examinations as required or needed.

I. GOALS AND OBJECTIVES

Goals: The practice of dentistry and dental hygiene is a privilege granted under the laws of the state of Montana and is not a natural right of individuals, therefore, the board goals are to maintain quality dental care for the public and to provide vigilant supervision of all dental practitioners and dental hygiene practitioners in the public interest, by utilization of all legal means in disciplinary actions. Licensure of only those individuals who have demonstrated competency in the field of oral health care. To regulate the profession of dentistry and dental hygiene in Montana by reviewing applications, conducting examinations, and monitoring the practice of licensees in the public interest.

Objectives: Adopt rules for dental auxiliaries and provide for their continuing education and to utilize the dental association for their help in investigation of complaints. To utilize the Western Regional Examining Board for conducting practical examinations which shall maintain a higher standard for testing, and conducting oral interviews and jurisprudence examination for all new applicants. To utilize a representative from the Dental Hygienists Association for assistance in formulating the dental hygiene examination and input in regards to rules for dental auxiliaries.

II. SUMMARY OF BOARD ACTIVITIES

Five board meetings were held during FY 80 and seven board meetings in FY 81 due to complex disciplinary problems.

III. STATISTICS ILLUSTRATING ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Dentists	25	35
Dental Hygienists	22	34
Examinations Given By Category (Passing)		
Dentists	23 (20)	31 (31)
Dental Hygienists	17 (17)	31 (31)
New Licenses Granted by Category		
Dentists	20	31
Dental Hygienists	17	31
Dental Hygienists Temporary Permits	1	3
Licenses Renewed by Category		
Dentists	752	771
Dental Hygienists	258	277
Total Licensees at FYE by Category		
Dentists	776	788
Dental Hygienists	258	301

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Workmanship	Inmate reimbursed for charges		1

BOARD OF DENTISTRY

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
	Investigate-not resolved		1
	Dentist directed to resolve matter		1
	Dentist retired and left state		1
	Resolved by patient and dentist		1
	Investigated-SURRENDER of license		2
Workmanship/Fees	Investigated-Dentist allowed credits	1	
	Investigated-18 month PROBATION	1	
	Investigated-Patient reimbursed		1
	Investigated-Patient & Dentist resolved		1
	Patient uncooperative with investigators	1	
Fees	Board without jurisdiction	3	3
Patient/Dentist	Personality problem	1	
Dentures/Denturist	Investigated-County Attorney closed firm	1	
	Investigated-Patient reimbursed	1	
Dentures or Fees	Investigated-no fault of dentist	3	
	Investigated-patient uncooperative	1	
Felony Conviction	License indefinitely suspended, then later REVOKED	1	
Dental Assistant performing hygienists functions	Investigated-hearing- 6 month SUSPENSION deferred to 15 days	1	
	15 day SUSPENSION imposed		1
	Dentist was asked for reply, warning letter written to dentist (REPRIMAND)		1
Possible misuse of alcohol	Investigated-dentist attended a chemical dependency clinic		1
Possible drug or alcohol abuse	Dentist was on probation, REPRIMAND, added, not resolved		1
Misuse of prescription authority	Investigated, dentist responded, board gave a private REPRIMAND		1
Non-licensed person practicing dentistry	County Attorney prosecuted the case		1
	TOTAL	15	18

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

Revoked	1	0
Suspended	1	1
Surrender of License	0	2
Probation	1	0
Reprimand	0	3

BOARD OF DENTISTRY

	<u>FY 80</u>	<u>FY 81</u>
Failure to pay renewal fee		
Dentists	10	9
Dental Hygienist	8	7

VI

FISCAL INFORMATIONREVENUE:

Dentist Original	675	580
Dentist Renewal	18,660	19,024
Dental Penalty Fee	256	240
Hygienist Original	418	555
Hygienist Renewal	2,543	2,770
Copies of Documents	14	30
Dentist Initial Exam	1,400	1,640
Hygienist Exam	1,520	1,990
Total Revenue	\$25,486	\$28,829

EXPENDITURESPERSONAL SERVICES:

Salaries	4,913	5,358
Other Compensation - board	1,239	881
Employee Benefits	844	1,127
Total Personal Services	\$ 6,996	\$ 7,366

CONTRACTED SERVICES:

Consultant & Professional Services	1,205	1,362
Legal Fees and Court Costs	3,419	1,832
Printing-Contracted	198	210
Total Contracted Services	\$ 4,822	\$ 3,404

SUPPLIES & MATERIALS:

Office	174	240
Photo & Reproduction	86	384
Printing-Duplicating	480	124
Other-Professional	71	0
Other-Food	0	4
Total Supplies & Materials	\$ 811	\$ 752

COMMUNICATIONS:

Telephone-Long Distance	264	693
Postage & Mailing	866	936
Telephone - STS Usage	139	179
Local Service & Equipment	13	5
Advertising	0	18
Total Communications	\$ 1,282	\$ 1,831

TRAVEL:

In-State Personal Car Mileage	1,531	1,588
In-State Commercial Transportation	286	654
In-State Aircraft Rental	1	0
In-State Other	15	0
In-State Meals	581	526
In-State Lodging	806	643
Out-of-State Commercial Transportation	1,224	929
Out-of-State Other	3	20
Out-of-State Meals	148	104

BOARD OF DENTISTRY

	FY 80	FY 81
Out-of-State Lodging	230	240
Total Travel	\$ 4,825	\$ 4,704
RENT:		
Meeting Rooms	103	55
Other - Storage	245	240
Total Rent	\$ 348	\$ 295
REPAIR & MAINTENANCE:		
Office Equipment	0	25
Total Repair & Maintenance	\$ 0	\$ 25
OTHER EXPENSES:		
Advertising - New Licensee	0	44
Subscriptions		6
Dues	570	510
Freight Loss		41
Registration Fees for Train.	50	155
Freight & Express	107	10
Total Other Expenses	\$ 727	\$ 766
TOTAL OPERATING EXPENSES	\$ 12,815	\$ 11,777
EQUIPMENT:		
Office	0	480
Total Equipment	\$ 0	\$ 480
TRANSFER ADMINISTRATIVE COSTS	\$ 1,793	\$ 2,050
TOTAL ALL EXPENDITURES	\$ 21,604	\$ 21,673
TOTAL APPROPRIATION	\$ 25,943	\$ 26,949
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$ 14,232	\$ 18,574
UNEXPENDED APPROPRIATION	\$ 4,339	\$ 5,276

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

Don R. Bilden, D.D.S., 12 N. 4th, Columbus, MT.	3/29/80
J. Robert Hickman, D.D.S., 121 W. Kagy, Bozeman, MT.	3/29/81
Douglas E. Wood, D.D.S., Box 1084, Kalispell, MT.	3/29/82
William G. Thomas, D.D.S., 1537 Ave. D, Billings, MT.	3/29/83
Robert W. Fritz, D.D.S., 907 Helena Ave., Helena, MT.	3/29/84
Jeannette S. Buchanan, R.D.H., Box 220, Columbia Falls, MT.	7/1/84
David B. Tawney, D.D.S., 1547 S. Higgins Ave., Missoula, MT.	3/29/85
James W. Olson, D.D.S., 215 N. 10th St., Hamilton, MT.	3/29/86

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter No 363, L. 1981 reestablished the Board of Dentistry until July 1, 1987, added one public member to the board, clarified the role of a dental hygienist, changed the name of the board to dentistry from dentists and generally updated other travel provisions.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To investigate the actions of licensees on a continual basis even when no formal complaints have been filed. To inspect work authorization forms issued by dentists to dental laboratories. Continue to revise the laws, rules and regulations to better serve the public, as well as the profession. To review the possibilities of mandatory continuing education requirements for renewal of license. To continue inspection of dental offices to ascertain that auxiliaries are being properly supervised and are qualified for the functions they are performing. Increase the FTE for FY 84 and FY 85.

BOARD OF HEARING AID DISPENSERS

I. GOALS AND OBJECTIVES

Goals: To continue to improve the system of quality hearing aid delivery to the hearing impaired public. This can be best accomplished by continuing board supervision on competency, service and avoidance of too strict regulation. To encourage moral and ethical conduct by more aggressive management of consumer complaints.

Objectives: To maintain competition in the free enterprise system. To maintain the present accomplishments in good hearing aid delivery to the public. To encourage hearing aid dispensers to upgrade and improve their relations with the public and the medical profession, especially pertaining to the Food and Drug Administration rules. To have more self-education through encouraging attendance at seminars and other education opportunities that are presented from time to time.

II. SUMMARY OF BOARD ACTIVITIES

Four board meetings were held during the biennium and an examination at each board meeting. On September 24, 1979 an Attorney General's Opinion was received on clarification of the audiologist's status dispensing hearing aids in a charitable or non-profit organization. Improved the complaint handling process and started the revision of the hearing aid examination.

III. STATISTICS ILLUSTRATING ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Trainee (Hearing Aid Dispenser)	6	28
Hearing Aid Dispenser	3	1
Examinations Given By Category-Show Passing In ()		
Trainee (No Exam Required)		
Hearing Aid Dispenser	8 (4)	14 (10)
New Licenses Granted By Category		
Trainee	8	27
Hearing Aid Dispenser	4	10
Licenses Renewed By Category		
Trainee	4	5
Hearing Aid Dispenser (Renewals delayed due to lack of funds)	18	66
Total Licensees at FYE By Category		
Trainee	10	24
Hearing Aid Dispenser	33	46

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

	<u>Disposition</u>	
Dissatisfaction with aid or aids	Money refunded	2
	Dealer fixed	
	aid	0
		1

BOARD OF HEARING AID DISPENSERS

	<u>Disposition</u>	<u>FY 80</u>	<u>FY 81</u>
	6 years elapsed since sale, requested info. from M.D. and it was not furnished		1
	New aids furnished, problem with Manufacturer and not dealer (new aids provided in one case and notification to National Hearing Aid Society in the other	2 2	0 0
Violation of Court Injunction and unethical conduct	Civil matter	1	0
False advertising or misrepresentation	Board ordered aid replaced or money refunded Letter written ordering correction of ad	1 1	0 2
Aid ordered, paid for but not delivered	Aid delivered	1	0
Office hour violation	Alleged violation denied by licensee, unable to prove	0	1
Unethical conduct (false representation	Allegation denied by licensee, nursing home people did not remember name, unable to verify allegation	1	0
False Advertising - Trainee violation	Letter written by board and licensee agreed to stop TV ads. Agreed to closer supervision of trainee	1	0
Term "audiologist" used incorrectly	Licensee denied allegation, unable to verify	0	1
Licensee selling aids in another state where not licensed	Board issued a verbal reprimand and money refunded on sales made in that state	0	1
	Total Complaints	12	12

BOARD OF HEARING AID DISPENSERS

V.	NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION	FY 80	FY 81
	Revoked	0	0
	Suspended	0	0
	Failure to pay renewal	6	3
	Late Fee Assessed	4	3

VI. FISCAL INFORMATION

REVENUE:

Hearing Aid Temporary	490	850
Application Fee	150	50
Original or Renewal Fee	1,280	5,315
Late Fee	32	24
Copies of Documents	5	5
Total Revenue	\$ 1,957	\$ 6,244

EXPENDITURES:

PERSONAL SERVICES:		
Hourly wages - employees	1,175	1,114
Other Compensation - board	300	180
Employee Benefits	211	207
Total Personal Services	\$ 1,686	\$ 1,501

CONTRACTED SERVICES:

Consultant & Professional Services	0	5
Legal Fees & Court Costs	64	163
Total Contracted Services	\$ 64	\$ 168

SUPPLIES & MATERIALS:

Office	30	10
Photo & Reproduction	28	44
Total Photo & Reproduction	\$ 58	\$ 54

COMMUNICATIONS:

Telephone - Long Distance Usage	67	50
Postage & Mailing	104	88
Telephone - STS Usage	53	28
Total Communications	\$ 224	\$ 166

TRAVEL:

In-State Personal Car Mileage	448	579
In-State Commercial Transportation	177	0
In-State Meals	169	92
In-State Lodging	41	71
Total Travel	\$ 835	\$ 742

OTHER EXPENSES:

Freight & Express	0	15
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TOTAL OPERATING EXPENSE	\$ 1,181	\$1,145
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TRANSFER ADMINISTRATIVE COSTS	\$ 178	\$ 414
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TOTAL EXPENDITURES	\$ 3,045	\$3,060
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BOARD OF HEARING AID DISPENSERS

	FY 80	FY 81
TOTAL APPROPRIATION	\$ 3,045	\$ 3,111
UNEXPENDED APPROPRIATION	\$ 0	\$ 51
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$ 3,541	\$ 7,034

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

Cecilia Sweeney, 20 North Dakota St., Butte, MT.	7/1/80
Dudley Anderson, 943 Stephens Ave., Missoula, MT.	7/1/81
Charles Steele, M.D., 2509 - 7th Ave. S., Gt. Falls, MT.	7/1/82
Ervin E. King, P.O. Box 2112, Billings, MT.	7/1/82
Barbara Going, 514 - 6th St. N.W., Gt. Falls, MT.	7/1/83
Robert B. Chaney, Ph.D., 321 Daly Ave., Missoula, MT.	7/1/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter No. 444, L. 1981 reestablished the Board of Hearing Aid Dispensers until July 1, 1987; revision and clarification included removal of the audiologist from the board and replacement with a public member, changing a temporary license to a trainee license as previously provided under rules and provided that a licensed audiologist is exempt from the trainee license and examination requirements.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Adequate appropriation to carry out duties and responsibilities under the law and rules.

BOARD OF HORSE RACING

I. GOALS AND OBJECTIVES

Goals:

1. To promote and encourage the raising of race horses in Montana.
2. To help race tracks with any problems they may have.
3. To protect the betting public.
4. To provide more veterinary services.

Objectives:

1. To hire full-time executive secretary to promote racing in Montana and to keep the board abreast of the latest developments in the field of litigations, suspensions, licensing, medication, etc.
2. To hire more stewards and security people and increase present salaries.
3. To encourage stewards to initiate more action, for example, have stewards call for more inquiries instead of relying on jockeys.
4. To give security people more training.
5. To hire an additional veterinarian or veterinarian student that will be in continuous charge of the test barns while the state veterinarian is at the paddock and starting gate.

II. SUMMARY OF BOARD ACTIVITIES

In order to provide better and more uniform control of medication problems, funding was obtained from the 1981 legislature for the assumption of the financing of state veterinarians and removal of this obligation from the various track licensees.

Continued gradual improvement of licensee track facilities by annual inspections before licensure for the benefit of all participants. Held a training seminar for horse racing officials during April, 1980 and 1981. Pari-Mutuel handle was increased 4% in 1980 and 16% in 1981 over previous years. 1980 had 103 racing days compared to 112 racing days in 1981

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Licenses Granted By Category	Calendar Year	
	80	81
Owner	956	1001
Owner-Trainer	329	332
Trainer	197	179
Track License	11	11
Jockey	84	81
Jockey Apprentice	25	23
Jockey Agent	4	6
Authorized Agent	6	5
Official	79	84
Pari-Mutuel	558	571
Occupational	1171	1146
Stable Name	32	28
Total Licenses Granted	3452	3467

BOARD OF HORSE RACING

IV. SUMMARY OF COMPLAINTS RECEIVED, RULINGS AND THEIR DISPOSITION

RULINGS BY BOARD OF STEWARDS:	<u>Calendar Year</u>		<u>Disposition of Rulings</u>		
	<u>1980</u>	<u>1981</u>	<u>Fine Only</u>	<u>Suspension Only</u>	<u>Both</u>
Careless ride by jockey	15	20	34	1	0
Causing an altercation	5	7	12	0	0
Failure to control mount	3	1	4	0	0
Bad Test (Medication-Lab)	4	8	1	1	10
Illegally striking mount	3	1	4	0	0
Failure to fulfill riding duties	0	3	3	0	0
Failure to report to steward & etc.	4	7	11	0	0
Conduct detrimental to racing	3	6	6	2	1
Entering an ineligible horse	5	6	11	0	0
Electrical Devices	0	3	0	3	0
Violation of medication rules	0	2	2	0	0
Licensing violations	3	0	2	1	0
Abuse of racing officials	0	3	1	1	1
Miscellaneous	2	3	4	1	0
Total	47	70	95	10	12

COMPLAINTS TO BOARD OF HORSE RACING	<u>DISPOSITION OF COMPLAINTS</u>		
Appeal of stewards' ruling	13	9	Upheld stewards' decision 22
Appeal of pari-mutuel decisions	2	0	Upheld pari-mutuel decision 2
Refund of license fees (\$4,970)	1	0	Denied - Settled in Court for \$3,030
Unpaid training or feed bills	1	3	3 No jurisdiction private matter 1 require board personal appearance
Incorrect information in newspaper	1	0	Resolved with newspaper
Move horses without authority and injury to one horse	2	0	No jurisdiction - private matter
Bad check for training & board	1	0	No jurisdiction - private matter
Starting Gate Malfunction	1	0	Upheld stewards' decision
Falsification of license application	1	0	Suspended license - reinstated after hearing
Failure to pay pari-mutuel ticket	1	0	No jurisdiction - private matter

BOARD OF HORSE RACING

Malpractice by farrier	0	1	No jurisdiction - private matter
Moving horse from assigned stall	0	1	No jurisdiction - personal problem with track management
Veterinary bill for \$1,130	0	1	No jurisdiction - private matter
Claim of \$1,450 for destroying horse	0	1	Pending - to Dept. of Administration legal
Refusing to license jockey	0	1	Writ of Prohibition issued by District Judge. Board had quashed after racing season
TOTAL	23	17	

V. NUMBER OF LICENSES SUSPENDED, FINES, OR OTHER DISCIPLINARY ACTION

	Calendar Year 1980 and 1981
Suspensions	10
Fines	95
Both Suspension and Fine	12
TOTAL	117

VI. FISCAL INFORMATION

REVENUE:	FY 80	FY 81
Racing Personnel Licenses	27,908	24,519
Pari-Mutuel Betting	86,872	89,807
Unclaimed Winning Tickets	22,859	28,164
Horse Racing Violations	1,785	3,770
Total Revenue	\$139,424	\$146,260

EXPENDITURES:

PERSONAL SERVICES:		
Salaries	9,547	8,898
Hourly Wages - Employees	36,557	29,269
Other Compensation - Board	5,184	4,123
Employee Benefits	6,310	5,781
Total Personal Services	\$57,598	\$48,071

CONTRACTED SERVICES:		
Consultant & Professional Services	3,889	22,305
Legal Fees & Court Costs	4,109	5,011
Printing - Contracted	1,329	824
Private Legal Counsel	3,399	250
Total Contracted Services	\$12,726	\$28,390

SUPPLIES & MATERIALS:		
Office	396	265
Photo & Reproduction	279	250
Printing - Duplicating	181	276
Food	11	0

BOARD OF HORSE RACING

	FY 80	FY 81
Photographic	<u>5,463</u>	<u>2,776</u>
Microfilm Supplies	390	130
Total Supplies & Materials	\$ 6,720	\$ 3,697
COMMUNICATIONS:		
Telephone-Long Distance Usage	2,738	3,040
Postage & Mailing	807	922
Telephone STS Usage	<u>698</u>	<u>499</u>
Total Communications	\$ 4,243	\$ 4,461
TRAVEL:		
In-State Personal Car Mileage	9,341	10,847
In-State Commercial Transportation	1,581	2,649
In-State Motor Pool	210	338
In-State Aircraft Rental	169	0
In-State Other	0	22
In-State Meals	7,208	7,985
In-State Lodging	8,124	9,381
Out-of-State Commercial Transportation	1,248	1,745
Out-of-State Personal Car Mileage	15	148
Out-of-State Meals	604	439
Out-of-State Lodging	782	417
Out-of-State Aircraft Rental	208	0
Out-of-State Other	140	0
In-State Car Rental	0	130
Total Travel	\$29,630	\$34,101
RENT:		
Meeting Rooms	110	343
Office Equipment	<u>0</u>	<u>137</u>
Total Rent	\$ 110	\$ 480
REPAIR & MAINTENANCE:		
Office Equipment	91	82
Photographic Equipment	<u>0</u>	<u>325</u>
Total Repair & Maintenance	\$ 91	\$ 407
OTHER EXPENSES:		
Dues	1,200	700
Subscriptions	180	170
Registration Fees	200	46
Freight & Express	<u>0</u>	<u>123</u>
Total Other Expenses	\$ 1,580	\$ 1,039
TOTAL OPERATING EXPENSES	\$55,100	\$72,575
EQUIPMENT:		
Office	119	0
Photographic	<u>2,500</u>	<u>0</u>
Total Equipment	\$ 2,619	\$ 0
TRANSFER ADMINISTRATIVE COSTS	\$ 6,673	\$ 8,373

BOARD OF HORSE RACING

	FY 80	FY 81
TOTAL ALL EXPENDITURES	<u>\$121,990</u>	<u>\$129,018</u>
TOTAL APPROPRIATION	\$126,397	\$144,181
earmarked REVENUE ACCOUNT BALANCE-FYE	\$157,598	\$175,006
UNEXPENDED APPROPRIATION	\$ 4,407	\$ 15,163

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

James E. Edwards, P.O. Box 1793, Billings, MT.	1/16/83
Richard Heard, P. O. Box 926, Columbus, MT.	1/16/83
Robert J. Holland, 2101 Harrison Ave., Butte, MT.	1/16/81
Linda King, P. O. Box 5804, Helena, MT.	1/16/84
Dale Mahlum, P. O. Box 3000, Missoula, MT.	1/16/82
Joseph Murphy, D.D.S., 3511 - 1st Ave. N., Gt. Falls, MT.	1/16/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Board is scheduled for Sunset on July 1, 1983 and the sunset review will be presented to the 1983 Legislature.

District Court Judges have been involved in staying Board orders until the matter is heard before District Court. This has affected the ability of the Board to handle disciplinary matters in an orderly manner.

BOARD OF LANDSCAPE ARCHITECTS

I. GOALS AND OBJECTIVES

Goals: Protecting the citizens of this state by insuring that only fully qualified persons are licensed to represent themselves to the public as landscape architects.

Objectives: To assure the public that persons representing themselves as landscape architects are fully qualified by investigating complaints received against the profession and licensees; enforcing the rules of the board; giving the National Council of Landscape Architects Registration Boards (NCLARB) examination once each year; and issuing licenses to the candidates who pass the examination.

II. SUMMARY OF BOARD ACTIVITIES

1. Administered the Uniform National Examination in June, 1980 and 1981.
2. Arranged for review of the UNE for those who wished it.
3. Conducted required board meetings.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received	3	4
Examinations Given; (passing)		
Section A	5 (3)	5 (5)
Section B	5 (4)	5 (2)
Section C	5 (4)	6 (4)
Section D	6 (3)	7 (2)
New Licenses Granted by Category		
by examination	2	1
by reciprocity	0	1
Licenses Renewed by Category	75	77
Total Licensees at FYE	75	77

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

No complaints received

V. NUMBER OF LICENSEES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

None

VI. FISCAL INFORMATION

REVENUE:

Landscape Architect Renewal	6,498	3,772
Landscape Architect Application	480	840
Landscape Architect Examination	630	690

BOARD OF LANDSCAPE ARCHITECTS

REVENUE CONTINUED:

	<u>FY 80</u>	<u>FY 81</u>
Landscape Architects Seals & Certificates	<u>20</u>	<u>95</u>
Total Revenue	7,628	5,397

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - employees	762	878
Employee Benefits	<u>138</u>	<u>161</u>
Total Personal Services	900	1,039

CONTRACTED SERVICES:

Consultant & Professional Services	23	277
Legal Fees & Court Costs	385	140
Written Exam Fees	<u>802</u>	<u>511</u>
Total Contracted Services	1,210	928

SUPPLIES & MATERIALS:

Office	179	13
Photo & Reproduction	15	9
Printing-Duplicating	16	0
Books	<u>0</u>	<u>10</u>
Total Supplies & Materials	210	32

COMMUNICATIONS:

Telephone-Long Distance Usage	0	21
Telephone - STS Usage	23	13
Postage & Mailing	<u>64</u>	<u>61</u>
Total Communications	87	95

TRAVEL:

In-state Personal Car Mileage	73	135
In-state Commercial Transportation	579	187
In-state Motor Pool	0	25
In-state Other	6	6
In-state Meals	95	52
In-state Lodging	39	63
Out-of-state Commercial Transportation	455	324
Out-of-state Other	6	37
Out-of-state Meals	61	158
Out-of-state Lodging	<u>114</u>	<u>234</u>
Total Travel	1,428	1,221

OTHER EXPENSES:

Dues	400	400
Registration Fees for Train.	50	0
Subscriptions	<u>6</u>	<u>0</u>
Total Other Expenses	456	400

TOTAL OPERATING EXPENSES	\$ 3,391	\$ 2,676
TRANSFER ADMINISTRATIVE COSTS	\$ 448	\$ 420
TOTAL ALL EXPENDITURES	\$ 4,739	\$ 4,135

BOARD OF LANDSCAPE ARCHITECTS

	<u>FY 80</u>	<u>FY 81</u>
TOTAL APPROPRIATION	\$ 6,035	\$ 6,382
UNEXPENDED APPROPRIATION	\$ 1,296	\$ 2,247
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$ 5,638	\$ 6,912

VII. BOARD MEMBERSHIP DURING BIENNIUM

George Matz, 2244 - 40th St., Billings, MT.	7/1/80
Theodore J. Wirth, 2445 Teton St., Billings, MT.	7/1/81
Esther Hamel, Box 68, St. Ignatius, MT.	7/1/82
Richard L. Mayer, 527 Diehl Rd., Helena, MT.	7/1/82
Jack Ervin, Box 38 (MPC), Colstrip, MT.	7/1/84
Wayne B. Worthington, 304 Graham, Helena, MT.	7/1/81

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 325, L. 1979 reestablished the Board of Landscape Architects for six years and with significant changes in the law.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Keeping alert to more efficient methods of protecting the public. Assist interested persons in becoming registered as a Landscape Architect. Distribute CLARB information to board members promptly.

BOARD OF MASSAGE THERAPISTS

I. GOALS AND OBJECTIVES

Goals: To protect the interests, health and welfare of the public by assuring that standards of education, training, examination, and practice are met by all massage therapists.

Objectives: To be responsible for administering examinations, approving applications, issuing licenses, and renewing licenses for massage.

II. SUMMARY OF BOARD ACTIVITIES

The board held two board meetings in Helena during FY 80 and one board meeting in Helena during FY 81 for the purpose of transacting business and giving a written and practical examination to applicants. A special board meeting was held in Helena in November of 1979 to review the Sunset Report prepared by the Office of the Legislative Auditor. No representative from that office was present, but the board did review the audit and made changes and corrections.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received By Category		
Massage Therapist	8	3
Examinations Given By Category (passing)		
Massage Therapist	4 (3)	3 (2)
Failed to appear for exam	4	0
New Licenses Granted by Category		
Massage Therapist	3	2
Licenses Renewed By Category		
Massage Therapist	81	81
Total Licensees at FYE By Category		
Massage Therapist	84	83

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Unlicensed practice of massage therapy	Working on Indian Reservation but later was examined and licensed	1	0
	Agreed to withdraw use of word massage from advertisement	1	0
	Letter written, no reply	0	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

No license's suspended or revoked during the biennium

Failure to pay renewal fee		
Massage Therapist	6	2

BOARD OF MASSAGE THERAPISTS

VI. FISCAL INFORMATION

	<u>FY 80</u>	<u>FY 81</u>
REVENUE:		
Massage Original Application	70	140
Massage Renewal	<u>2,025</u>	<u>2,030</u>
Total Revenue	\$ 2,095	\$ 2,170
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly wages - employees	335	305
Other Compensation-board	525	475
Employee Benefits	<u>109</u>	<u>58</u>
Total Personal Services	\$ 969	\$ 838
CONTRACTED SERVICES:		
Legal Fees & Court Costs	22	3
Printing-Contracted	<u>0</u>	<u>30</u>
Total Contracted Services	22	33
SUPPLIES & MATERIALS:		
Office	8	3
Photo & Reproduction	9	20
Printing-Duplicating	<u>76</u>	<u>10</u>
Total Supplies & Materials	\$ 93	\$ 33
COMMUNICATIONS:		
Telephone-Long Distance Usage	172	255
Postage & Mailing	46	70
Telephone-STS Usage	<u>14</u>	<u>9</u>
Total Communications	\$ 232	\$ 334
TRAVEL:		
In-state Personal Car Mileage	690	787
In-state Meals	218	193
In-state Lodging	<u>215</u>	<u>210</u>
Total Travel	\$ 1,123	\$ 1,190
RENT:		
Meeting rooms	<u>25</u>	<u>40</u>
Total Rent	\$ 25	\$ 40
TOTAL OPERATING EXPENSES	\$ 1,495	\$ 1,630
TRANSFER ADMINISTRATIVE COSTS	\$ 115	\$ 206
TOTAL ALL EXPENDITURES	\$ 2,579	\$ 2,674
TOTAL APPROPRIATION	\$ 2,643	\$ 2,747
UNEXPENDED APPROPRIATION	\$ 64	\$ 73
earmarked account balance FYE	\$ 3,910	\$ 3,100

BOARD OF MASSAGE THERAPISTS

VII. BOARD MEMBERSHIP DURING BIENNIUM

Ruth Robertson, Stanford, MT.

8/1/81

Thomas A. Prewett, 908-5th Ave. N., Glasgow, MT.

8/1/82

Ethel S. Gullickson, Box 205, Winnett, MT.

8/1/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD DURING BIENNIUM

During the 1981 Legislative Session Senate Bill No. 396 was presented to abolish the Board of Massage Therapists and to repeal the law (Chapter 33) relating to Massage Therapy, this bill failed to pass. House Bill 636 was presented to reestablish the Board of Massage Therapists with amendments to existing law, this bill failed to pass. Therefore, existing law (2-8-103(2)(b), MCA was effective and this law provided that the Board of Massage Therapists be terminated on July 1, 1981. Existing law for massage therapy has no effect because a board does not exist to administer the work assigned to the board.

I. GOALS AND OBJECTIVES

Goals: To carry out the intent of the law so that the public will have confidence in those individuals licensed to practice medicine, acupuncture and emergency medical service.

Objectives: To provide 1,675 annual renewal licenses and provide examinations to 35 applicants per year with a general increase in disciplinary actions.

II. SUMMARY OF BOARD ACTIVITIES

During the past biennium the board has met four times each year in Helena. These meetings are usually two day meetings. The administrative assistant of this board handles large numbers of telephone calls and written requests for information regarding licensure, certification and approval of the programs. The board participates in continuing correspondence with other state medical boards and with the National Federation of State Medical Boards in order to keep abreast of the continuing change in medical licensure in this country.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received By Category		
Medical Doctors	137	151
EMT	248	327
Acupuncture	3	5
Examinations Given By Category (passing)		
Medical Doctors	19(6)	15(3)
EMT	353(184)	634(173)
Acupuncture	1(1)	3(3)
New Licenses Granted By Category		
Medical Doctors	152	117
EMT	184	74
Acupuncture	4	3
Licenses Renewed By Category		
Medical Doctors	1,557	1,706
EMT	54	307
Acupuncture	9	13
Total Licensees at FYE By Category		
Medical Doctors	1,557	1,706
EMT	658	701
Acupuncture	12	18

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Abuse in prescription writing of Class II Drugs	No Action, but will monitor	9	3
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MONTANA STATE BOARD OF MEDICAL EXAMINERS

		<u>FY 80</u>	<u>FY 81</u>
Practice without license	No Action	0	2
Improper care, treatment diagnosis	No Action	7	5
Emotional Problems, drugs and Alcohol	Voluntary Surrender of License	1	0
	Suspended indefinitely	1	0
	Issued License after investigation	0	1
	Issued temporary for one year	0	1
Lost hospital privileges	No Action	1	1
Unprofessional and unethical conduct	No Action	1	0
	Seek psychiatric help	0	1
	Release records	0	1
	Revoked	0	1
Doctor-Patient Conflict	No Action	2	4
Over-charge	No jurisdiction	<u>1</u>	<u>0</u>
	Total	23	20

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	1
Suspended	1	0
Voluntary Surrender	1	0
Failure to Pay Renewal Fee	53	47

VI. FISCAL INFORMATION

REVENUE:

Reciprocity	13,475	15,150
Temporary	3,365	2,600
Renewal	80,145	81,955
Penalty	400	270
Acupuncture Renewal	180	240
Acupuncture Reciprocity	20	40
EMT	9,830	17,955
M.D. Exam	2,075	1,380
Acupuncture Exam	190	100
Acupuncture Investigation	840	1,450
Total Revenue	<u>\$110,520</u>	<u>\$121,140</u>

MONTANA STATE BOARD OF MEDICAL EXAMINERS

EXPENDITURES:

	<u>FY 80</u>	<u>FY 81</u>
PERSONAL SERVICES:		
Hourly wages- employees	15,097	21,774
Other Compensation - board	1,563	1,925
Employee Benefits	2,711	4,149
Total Personal Services	<u>\$19,371</u>	<u>\$27,848</u>

CONTRACTED SERVICES:

Consultant & Professional Services	2,796	1,621
Legal Fees & Court Costs	1,685	1,910
Printing-Contracted	620	234
Written Exam Fees	4,363	18,448
Other - Private Legal Counsel	9,929	2,035
Total Contracted Services	<u>\$19,393</u>	<u>\$24,248</u>

SUPPLIES & MATERIALS:

Office	262	325
Photo & Reproduction	276	240
Printing-Duplicating	168	246
Other - Food	0	70
Total Supplies & Materials	<u>\$ 706</u>	<u>\$ 881</u>

COMMUNICATIONS:

Telephone-Long Distance Usage	540	266
Postage & Mailing	1,845	2,021
Telephone-STS Usage	330	155
Other - Telephone One Time Charge	34	0
Total Communications	<u>\$ 2,749</u>	<u>\$ 2,442</u>

TRAVEL:

In-state Personal Car Mileage	\$ 1,800	1,448
In-state Commercial Transportation	610	572
In-state Other - Private Aircraft	239	29
In-state Meals	678	535
In-state Lodging	616	653
Out-of-state Commercial Transportation	0	944
Out-of-state Other	0	12
Out-of-state Meals	20	111
Out-of-state Lodging	0	313
Total Travel	<u>\$ 3,963</u>	<u>\$ 4,617</u>

RENT:

Meeting Rooms	212	648
Total Rent	<u>\$ 212</u>	<u>\$ 648</u>

REPAIR & MAINTENANCE

Office Equipment	71	123
Total Repair & Maintenance	<u>\$ 71</u>	<u>\$ 123</u>

OTHER EXPENSES:

Dues	75	500
Registration Fees for Training	225	110
Freight & Express	0	35
Total Other Expenses	<u>\$ 300</u>	<u>\$ 645</u>

MONTANA STATE BOARD OF MEDICAL EXAMINERS

	<u>FY 80</u>	<u>FY 81</u>
TOTAL OPERATING EXPENSES	\$27,394	\$33,604
EQUIPMENT:		
Office	0	655
Total Equipment	<u>\$ 0</u>	<u>\$ 655</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 6,024	\$ 5,017
TOTAL ALL EXPENDITURES	\$52,789	\$67,124
TOTAL APPROPRIATION	\$111,343	\$115,478
UNEXPENDED APPROPRIATION	\$58,554	\$48,354
EARMARKED ACCOUNT BALANCE FYE	\$152,788	\$206,803

VII. BOARD MEMBERSHIP DURING BIENNIUM

John C. Seidensticker, M.D., 512 S. Arizona, Dillon, MT.	9/1/79
Allan L. Goulding, M.D., Box 2555, Billings, MT.	9/1/81
Lloyd L. Garrels, D.O., 305 E. Commercial St., Anaconda, MT.	9/1/82
John A. Layne, M.D., 817 - 5th Ave. N., Great Falls, MT.	9/1/83
Henry H. Gary, M.D., Box 7968, Missoula, MT. 59801	9/1/84
C. G. McCarthy, M.D. 501 W. Broadway, Missoula, MT. (resigned)	9/1/84
John W. Strizich, M.D., 1500 Cannon, Helena, MT.	9/1/85
Edward Bertagnolli, M.D., Box 526, Three Forks, MT.	9/1/86
Thomas J. Malee, M.D., 509 N. Merrill, Glendive, MT.	9/1/87

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 243, L. 1981 provided for reestablishment of the Montana State Board of Medical Examiners; adding two public members, and podiatrist and changing terms from 7 years to 4 years, and reporting requirements for malpractice claims.

Chapter 470, L. 1981, transfer podiatrist to the Montana State Board of Medical Examiners.

Chapter 380, L. 1981, regulating the utilization of physician assistants.

Chapter 87, L. 1981, transfer osteopathic physicians to the Montana State Board of Medical Examiners

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

All programs are progressing satisfactorily. They do require constant

MONTANA STATE BOARD OF MEDICAL EXAMINERS

monitoring however, and an increased amount of staff support is necessary to continue the satisfactory performance of the programs, which include physicians, acupuncture, emergency medical technicians, physician assistants, podiatrists and osteopathic physicians.

BOARD OF MORTICIANS

I. GOALS AND OBJECTIVES

Goals: To protect the public's health safety and welfare; and maintain professional competency.

Objectives: To inspect and license funeral homes to insure that they meet the public health standards as set by state laws and regulations requiring disclosure statements to protect the public from unscrupulous practices and to guarantee that those persons working in the field of Mortuary Science meet professional competency requirements through education and examination.

II. SUMMARY OF BOARD ACTIVITIES

Two board meetings were held each FY. Board members presented testimony to help reestablish the board.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	FY 80	FY 81
Applications Received	14	11
Examinations	10	6
New Licenses Granted by Category		
Interns	5	6
Morticians	7	5
Reciprocity	5	1
Mortuaries	3	0
Licenses Renewed by Category		
Interns	13	7
Funeral Directors	41	30
Morticians	297	265
Mortuaries	92	80

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Illegal Conduct by un-licensed individual	Matter investigated and action is pending	0	1
Unlicensed personnel handling preparation of bodies	Investigated, no evidence of violation	1	0
Trust Account on Pre-Need Contracts	Licensee is correcting problem	1	0
Unprofessional Conduct	Resolved with verbal or written reprimands	1	1
	Pending Action		1
Total		3	3

BOARD OF MORTICIANS

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY

<u>ACTION</u>	<u>FY 80</u>	<u>FY 81</u>
No licenses were revoked or suspended during the Biennium		
Verbal or letter of reprimand	1	1
Failure to pay renewal fees - License declared void	7	6

VI. FISCAL INFORMATION

REVENUE:

Funeral Director Renewal	380	685
Mortician Application	700	550
Mortician Reinstatement	175	100
Intern Renewal	39	30
Mortician Renewal	4,455	11,195
Mortuary Renewal	2,330	1,925
Total Revenue	\$ 8,079	\$14,485

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - Employees	2,069	2,684
Other Compensation - Board	550	500
Employee Benefits	408	508
Total Personal Services	\$ 3,027	\$ 3,692

CONTRACTED SERVICES:

Consultant & Professional Services	13	137
Legal Fees & Court Costs	1,098	442
Printing - Contracted	101	0
Total Contracted Services	\$ 1,212	\$ 579

SUPPLIES & MATERIALS:

Office	91	35
Photo & Reproduction	34	31
Printing - Duplicating	26	12
Total Supplies & Materials	\$ 151	\$ 78

COMMUNICATIONS:

Telephone - Long Distance Usage	356	549
Postage & Mailing	177	223
Telephone - STS Usage	79	79
Other - One Time Phone Charges	22	0
Total Communications	\$ 634	851

TRAVEL:

In-State Personal Car Mileage	978	1,138
In-State Commercial Transportation	318	116
In-State Aircraft Rental	233	0
In-State Other	31	0
In-State Meals	404	371
In-State Lodging	523	337

BOARD OF MORTICIANS

	<u>FY 80</u>	<u>FY 81</u>
Out-of-State Commercial Transportation	0	426
Out-of-State Other	0	10
Out-of-State Meals	0	79
Out-of-State Lodging	0	160
Total Travel	<u>\$ 2,487</u>	<u>\$ 2,637</u>
RENT:		
Meeting Rooms	83	32
Total Rent	<u>\$ 83</u>	<u>\$ 32</u>
OTHER EXPENSES:		
Dues	300	300
Registration for Training	0	50
Total Other Expenses	<u>\$ 300</u>	<u>\$ 350</u>
TOTAL OPERATING EXPENSES	\$ 4,867	\$ 4,527
TRANSFER ADMINISTRATIVE COSTS	\$ 730	\$ 810
TOTAL ALL EXPENDITURES	\$ 8,624	\$ 9,029
TOTAL APPROPRIATION	\$ 9,290	\$ 9,322
UNEXPENDED APPROPRIATION	\$ 666	\$ 293
EARMARKED ACCOUNT BALANCE - FYE	\$ 7,290	\$12,409

VII. BOARD MEMBERSHIP DURING BIENNIIUM

Dennis Dolan, Box 84, Butte, MT	7/1/81
Jack Severns, 2200 Juniper Ave., Great Falls, MT	7/1/82
J. Everett Bullis, Box 318, Hardin, MT	7/1/83
Vernon Vial, 2908 - 8th Ave. N., Great Falls, MT	7/1/84
Lorene L. Johnson, Box 966, Kalispell, MT	7/1/85
Lyman M. Clayton, Box 130, Wolf Point, MT	7/1/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 378, L. 1981, reestablished the board of morticians, provided for equivalency in lieu of 2 years of college, provided that the board could by rule adopt continuing education requirements for licensees; and changed the reciprocity section to allow for individual reciprocity rather than limiting reciprocity to agreements with other states.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Adopt continuing education rules, rules on alternate forms of disciplinary action, and make changes in disclosure rules.

I. GOALS AND OBJECTIVES

Goals: The goals of the Montana Board of Nursing are to promote, persevere and protect the public health, safety and welfare by and through the effective control and regulation of the practice of nursing and of educational preparation for these practices.

Objectives:* The board works toward these goals through the following:

"The objectives of the Board of Nursing shall be to function in the field of professional and practical nursing as an administrative and supervisory agency within the governmental structure providing expert knowledge and understanding in safeguarding life and health; to formulate standards for nursing education which are based on the public's need for competent practitioners of nursing and which will safeguard the educational preparation of the student; to formulate procedures for evaluation of all educational programs in nursing in Montana which are safeguards to the public and which stimulate the schools of nursing to use better educational practices; to formulate procedures for the licensing of professional and practical nurses which protect the public from incompetent practitioners".

*Board objectives are currently being reviewed and revised to reflect provisions of current statute.

II. SUMMARY OF BOARD ACTIVITIES

1. Held Four meetings in FY 80 for a total of 14 days and 4 meetings in FY 81 for a total of 13 1/2 days. Of the total meeting days in each fiscal year, one and one-half days were spent in evaluating test items for use in future licensing examinations for registered nurses and those for practical nurses.
2. Conducted site surveys to one baccalaureate in nursing degree program and two practical nursing programs.
3. Reviewed nursing school annual and compliance reports and granted full continued approval in FY 80 and FY 81 to the two baccalaureate programs and two associate degree programs in professional nursing in addition to the six practical nursing education programs.
4. Requested an attorney's general opinion regarding the approval of schools and courses which teach nurse-related subjects.
5. Amended rules relating to repeating examinations, foreign educated applicants and Standards for Montana School of Practical Nursing.

BOARD OF NURSING

6. Adopted rules concerning the conduct of nurses.
7. Authorized an expanded and improve computerized licensure program.
8. Updated orientation procedure and manual for new board members.
9. Completed work with the Department of Social and Rehabilitative Services on a rule governing certification of persons assisting developmentally disabled persons in administration of medication.
10. Partipated as members and/or resource persons in the activities of numerous national, regional and state planning groups relative to nursing and health care.

III. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

	<u>FY 80</u>	<u>FY 81</u>
Applications Received By Category		
Registered Nurses	867	932
Practical Nurses	583	423
Total	<u>1,450</u>	<u>1,355</u>
Examinations Given By Category (Passing)		
Registered Nurses	325 (270)	299 (259)
Practical Nurses	<u>140 (132)</u>	<u>158 (147)</u>
Total	<u>465 (402)</u>	<u>457 (406)</u>
New Licenses Granted by Examination		
Registered Nurses	270	259
Practical Nurses	<u>132</u>	<u>147</u>
Total	<u>402</u>	<u>406</u>
New Licenses Granted by Endorsement		
Registered Nurses	359	382
Practical Nurses	<u>109</u>	<u>141</u>
Total	<u>468</u>	<u>528</u>
Licenses Renewed by Category		
Registered Nurses	7,055	7,484
Practical Nurses	<u>2,612</u>	<u>2,923</u>
Total	<u>9,667</u>	<u>10,407</u>
Total licensees at FYE by Category		
Registered Nurses	7,684	8,125
Practical Nurses	<u>2,853</u>	<u>3,211</u>
Total	<u>10,537</u>	<u>11,341</u>

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Unprofessional Conduct (7 RN & 3LPN)	No Violation	1	3
	Moved from State	1	0
	Hearings Pending	0	2
	Letter of Advisement		2
	Investigation State		1

BOARD OF NURSING

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Prescribing Drugs (RN)	No violation	1	0
Practicing without license (2RN 1 non-nurse)	No violation(not nursing) Became Licensed	1	0 2
Unsafe Practice (LPN)	No Violation	1	
Practicing Midwifery (1 LPN & 1 non-nurse)	Referred to Medical Board	0	2
Implying person was a nurse (1 non-nurse)	No violation	0	1
Eight complaints received from consumers, four from county attorneys, four from nurses, one from a physician and one from Board of Pharmacy			
Total		5	13

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

No licenses revoked or suspended

Other - Letters of Advisement - Future Follow-Up

Registered Nurses	0	0
Practical Nurses	0	2

VI. FISCAL INFORMATION

REVENUE:

Registered Nurse Renewal	69,670	72,744
Registered Nurse Reciprocity	13,715	16,035
Practical Nurse Renewal	26,000	27,527
Practical Nurse Reciprocity	3,860	4,965
Midwife Original/Renewal	10	45
Copies of Documents	858	1,540
Registered Nurse Initial Exam	9,690	8,231
Registered Nurse Re-Exam	1,070	1,040
Practical Nurse Initial Exam	5,020	5,185
Practical Nurse Re-Exam	250	135
Total Revenue	\$130,143	\$137,477

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages - employees	54,910	44,819
Other compensation-board	1,818	2,300
Employee Benefits	9,510	8,391
Total Personal Services	66,238	55,510

BOARD OF NURSING

	<u>FY 80</u>	<u>FY 81</u>
CONTRACTED SERVICES:		
Consultant & Professional Services	1,125	1,439
Data Processing Services	2,042	1,709
Legal Fees & Court Costs	694	850
Printing-Contracted	2,123	861
Written Exam Fees	7,537	9,377
Other Federal Inspection Fee	3	0
Other - Microfilm Services	2,209	562
Total Contracted Services	<u>15,733</u>	<u>14,798</u>
SUPPLIES & MATERIALS:		
Office	306	313
Photo & Reproduction	242	264
Printing-Duplicating	915	1,003
Books	114	14
Other-Food	10	8
Other-Electrical		25
Total Supplies & Materials	<u>1,587</u>	<u>1,627</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	18	19
Postage & Mailing	5,081	5,327
Telephone-STIS Usage	234	163
Total Communications	<u>5,333</u>	<u>5,509</u>
TRAVEL:		
In-state Personal Car Mileage	2,136	2,061
In-state Commercial Transportation	200	0
In-state Motor Pool	131	31
In-state Other	15	14
In-state Meals	1,403	1,136
In-state Lodging	1,875	1,392
Out-of-state Commercial Transportation	1,340	2,001
Out-of-state Other	20	61
Out-of-state Meals	145	307
Out-of-state Lodging	278	737
Total Travel	<u>7,543</u>	<u>7,740</u>
RENT:		
Other- Equipment	0	296
Total Rent	<u>0</u>	<u>296</u>
REPAIR & MAINTENANCE:		
Office Equipment	204	97
Total Repair & Maintenance	<u>204</u>	<u>97</u>
OTHER EXPENSES:		
Subscriptions	124	390
Dues	0	1,000
Registration Fees for Train.	288	345
Freight & Express	561	505
Total Other Expenses	<u>973</u>	<u>2,240</u>

BOARD OF NURSING

	FY 80	FY 81
TOTAL OPERATING EXPENSES	\$ 31,373	\$ 32,307
EQUIPMENT:		
Office	0	3,556
Total Equipment		3,556
TRANSFER ADMINISTRATIVE COSTS	\$ 11,319	\$ 12,778
TOTAL ALL EXPENDITURES	\$108,930	\$104,151
TOTAL APPROPRIATION	\$118,059	\$138,682
UNEXPENDED APPROPRIATION	\$ 9,129	\$ 34,531
EARMARKED ACCOUNT BALANCE FYE	\$175,187	\$214,279

VII. BOARD MEMBERSHIP DURING BIENNIUM

Janie Cromwell, R.N., 417 Travonia, Butte, MT.	7/1/82
Marie Larish, RN, 1495 Beaverhead, Helena, MT.	7/1/81
Helen Kiesling, R.N., 1010 - 4th Ave., Havre, MT.	7/1/84
Donna Small, R.N., 1208 Oakland Dr., Billings, MT.	7/1/85
Therese Sullivan, R.N., 633 Leslie Ave., Helena, MT.	7/1/82
Jeanette Mattfield, LPN, 562 Broadway, Helena, MT.	7/1/81
Shirley Mann, LPN, 1507 Colorado Ave., Black Eagle, MT.	7/1/83
Patricia McCranie, LPN, 1026 Ave. D., Billings, MT.	7/1/84

OTHER RELEVANT INFORMATION

Approved Nursing Schools
 Preparing Registered Nurses
 Baccalaureate Degree

- School of Nursing
 Montana State University
 Bozeman, MT. 59715

- Department of Nursing
 Carroll College
 Helena, MT. 59625

Associate Degree

- Department of Nursing & Health Sciences
 Miles Community College
 Miles City, MT. 59301

- Department of Nursing
 Northern Montana College
 Havre, MT. 59501

BOARD OF NURSING

Preparing Practical Nurses

- Billings Vocational Technical Center
3803 Central Ave.
Billings, MT. 59102
- Butte Vocational Technical Center
404 S. Wyoming
Butte, MT. 59701
- Great Falls Vocational Technical Center
2100 - 16th Ave. S.
Great Falls, MT. 59405
- Helena Vocational Technical Center
1115 Roberts
Helena, MT. 59601
- Missoula Vocational Technical Center
909 S. Ave. West
Missoula, MT. 59801
- *Department of Nursing
Northern Montana College
Havre, MT. 59501

*Program was closed on August 31, 1980

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 248, L. 1981 reestablishing the Board of Nursing under existing statutory authority and rules and to generally revise the laws relating to licensure of nurses; modifying board make-up providing for staggered four year terms for board members; revising definitions of nursing; authorizing temporary nursing permits; providing for a late renewal fee.

Chapter 81, L. 1981, an act to remove authority over staffing from the boards of Medical Examiners, Nursing, Barbers, and Water Well Contractors.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Due to increased activity in the number and complexity of complaints received and the broadened disciplinary authority, the board recommends increased legal assistance services and increased appropriations for legal fees and court costs.

Consideration be given to the addition of a word processor to supplement the current computerized licensing system and to provide increased efficiency in maintenance of files, records and other written materials.

Expand the circulation of board publications including the law and rules regulating the practice of nursing in Montana.

BOARD OF NURSING HOME ADMINISTRATORS

I. GOALS AND OBJECTIVES

Goals: The Board of Nursing Home Administrators shall help to ensure quality patient and resident care through the licensing of qualified nursing home administrators.

Objectives: Establish criteria for licensing of nursing home administrators. Establish criteria for continuing education. Conduct continuing study of standards of licensure. Establish criteria for ensuring that only qualified persons administer long term care facilities. Establish criteria for maintenance of licensure. Recommend to University Systems and Learning Centers that programs be established for nursing home administrators.

II. SUMMARY OF BOARD ACTIVITIES

Continuing the study to improve educational requirement for applicants, to ensure that only qualified persons administer in long term care facilities.

III. STATISTICS ILLUSTRATING ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Examination	23	15
Reciprocity	5	4
Temporary License	2	0
Examinations Given By Category		
Show Passing in()		
Nursing Home Administrator	19(17)	15(15)
New Licenses Granted By Category		
Nursing Home Administrator (inactive)	7	3
Nursing Home Administrator (active)	21	18
Licenses Renewed By Category		
Active Licenses	112	100
Inactive Licenses	52	59
Total Licensees at FYE by Category		
Active Licenses	175	134
Inactive Licenses	58	59

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>DATE</u>	<u>FROM</u>	<u>TYPE</u>	<u>ACTION</u>
7/31/79	HES	Repeated violations of rules of the Board, Montana Dept. of Health & Env. Sciences and United States Dept. of Health & Human Services	5/7/81 - continuance requested - without date, approved by Dept. Atty and granted by Hearings Officer

BOARD OF NURSING HOME ADMINISTRATORS

V. NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

	<u>FY 80</u>	<u>FY 81</u>
No licenses suspended or revoked		
Failure to Pay Renewal Fee	14	20

VI. FISCAL INFORMATION

REVENUE:

Nursing Home Inactive license	1,400	1,475
Nursing Home Annual Renewal	12,055	13,100
Nursing Home Temporary Permit	900	600
Nursing Home Reciprocity	425	255
Copies of Documents	335	230
Nursing Home Examination	<u>700</u>	<u>500</u>
Total Revenue	\$15,815	\$16,160

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages-employees	4,599	5,278
Other Compensation-board	675	225
Employee Benefits	852	993
Total Personal Services	<u>\$ 6,126</u>	<u>\$ 6,496</u>

CONTRACTED SERVICES:

Legal Fees & Court Costs	519	219
Consultant & Professional Services	0	14
Printing-Contracted	0	236
Written Exam Fees	430	501
Total Contracted Services	<u>\$ 949</u>	<u>\$ 970</u>

SUPPLIES & MATERIALS:

Office	56	128
Photo & Reproduction	92	121
Printing-Duplicating	14	226
Total Supplies & Materials	<u>\$ 162</u>	<u>\$ 475</u>

COMMUNICATIONS:

Telephone-Long Distance Usage	5	39
Postage & Mailing	436	521
Telephone - STS Usage	69	82
Other - Advertising	0	18
Total Communications	<u>\$ 510</u>	<u>\$ 660</u>

TRAVEL:

In-State Personal Car Mileage	372	310
In-State Commercial Transportation	766	253
In-State Motor Pool	38	0
In-State Other	47	11
In-State Meals	173	129
In-State Lodging	105	60
Out-of-State Commercial Transportation	915	250
Out-of-State Other	60	0
Out-of-State Meals	101	0
Out-of-State Lodging	152	0
Total Travel	<u>\$ 2,729</u>	<u>\$ 1,013</u>

BOARD OF NURSING HOME ADMINISTRATORS

	<u>FY 80</u>	<u>FY 81</u>
RENT:		
Meeting Rooms	20	0
Total Rent	\$ 20	\$ 0
REPAIR & MAINTENANCE:		
Office Equipment	8	51
Total Repair & Maintenance	\$ 8	\$ 51
OTHER EXPENSES:		
Dues	325	250
Subscriptions	175	15
Total Other Expenses	\$ 500	\$ 265
TOTAL OPERATING EXPENSES	\$ 4,878	\$ 3,434
TOTAL EQUIPMENT	\$ 405	\$ 0
TRANSFER ADMINISTRATIVE COSTS	\$ 935	\$ 1,414
TOTAL EXPENDITURES	\$ 12,344	\$ 11,344
TOTAL APPROPRIATION	\$ 15,269	\$ 16,031
UNEXPENDED APPROPRIATION	\$ 2,925	\$ 4,687
EARMARKED REVENUE ACCOUNT BALANCE--FYE	\$ 13,668	\$ 17,536

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

Vera Gerke, 1201 Clark Ave., Billings, MT.	5/28/84
Warren L. Croston, Community Hospital, 600 Oak St. Anaconda, MT	5/28/85
Marion Finley, 604 - 4th Ave. E., Kalispell, MT.	5/28/82
Marguerite Watne, 1251 Willow Glen Dr., Kalispell, MT.	5/28/83
Marvin Bulgatz, Ph.D., Eastern Montana College, Billings, MT.	5/28/81

EX-OFFICIO MEMBERS:

George Fenner, Dept. of Health & Environmental Sciences, Helena, MT.
 William F. Ikard, Dept. of SRS, Helena, MT.

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 154, L. 1981 reestablished the Board of Nursing Home Administrators under existing statutory authority and rules for six years or with a new termination date of July 1, 1987.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Funding to allow the board of nursing home administrators to provide continuing education courses for licensees during each calendar year.

BOARD OF OPTOMETRISTS

I. GOALS AND OBJECTIVES

Goals: The Board of Optometrists is responsible for protecting the visual health and safety of the people of Montana by insuring that all applicants for licensure are qualified and competent in the optometry field; that only licensed and qualified professionals are delivering eyecare to the public; and that optometrists in active practice in the state maintain their competency by regulation in accordance with the statutes and rules and requiring attendance at continuing educational programs annually.

Objectives: To examine qualified applicants each year for licensure as optometrists to insure their competency in rendering high quality vision care by passage of a practical and written examination as required. To review complaints as received and to provide field investigations as required. To determine if disciplinary actions are necessary and if so, to initiate same. To initiate proceedings in the court system against unlicensed persons practicing optometry. To issue renewal of registrations each year and verify compliance with continuing educational requirements for those optometrists in active practice in the state. To participate in national association meetings to keep up with changes in the profession of optometry. To insure that optometrists wishing to employ diagnostic pharmaceutical agents have complied with the necessary requirements and to recommend to the Board of Medical Examiners that certificates for the use of diagnostic pharmaceutical agents be issued. To review various continuing education programs and determine their pertinency and relevancy.

II. SUMMARY OF ACTIVITIES

There were three board meetings held in FY 80 with examinations administered during one of the meetings and two meetings were held in FY 81 with examinations administered during one of the meetings. The 1977 Sunset Law terminated the board on July 1, 1981 and after a sunset review, it was recommended to the 1981 legislature and passed for the reestablishment of the board with other recommendations. The rules of the board were recodified pursuant to Chapter 600, Laws of Montana 1979. The board did not file any notices of proposed rule changes or adoptions.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications	17	23
Examinations	16	10
Examinees Passing	10	6
New Licenses	10	7
Reciprocity Licensing	0	1
Licenses Renewed	173	166
Total Licensees	178	180
Continuing Education Verified (* 1 Waiver)	122	*120
DPA Certificates Issued	15	7

BOARD OF OPTOMETRISTS

IV.	SUMMARY OF COMPLAINTS	BIENNIUM
	Dispute over services	No violations 3*
	Dispute over charges	No violation 1
	Use of non-approved contact lenses	Legalized by FDA Action 1
	Advertising	Letter of Warning 2 No jurisdiction 2
	Legal/Business Dispute	No Violation 1
	Dispute over prices/ services of opticians	No jurisdiction 2

Of the 12 complaints received, seven came from the public, two from physicians and three from optometrists.

*Two informal hearings were scheduled but because no one appeared, they were cancelled.

Complaints pending from previous years	Legal Action	1
Practicing optometry without a license	Pending	

V.	NUMBER OF LICENSES REVOKED OR SUSPENDED	FY 80	FY 81
	No licenses revoked or suspended		
	Other - Revoked for non-payment of renewal fees	8	5
	Letter of Warning issued in two cases		

VI. FISCAL INFORMATION

REVENUE:

Original Certificate	100	70
Renewal	8,350	8,300
Renewal Penalty	245	245
Application Fee	375	500
Copies	0	1
Total Revenue	\$ 9,070	\$ 9,116

EXPENDITURES:

PERSONAL SERVICES:

Salaries	2,533	2,456
Other Compensation - Per Diem	475	625
Employee Benefits	462	470
Total Personal Services	\$ 3,470	\$ 3,551

CONTRACTED SERVICES:

Consultant & Professional Services	100	187
Legal Fees & Court Costs	619	524
Printing	145	129

BOARD OF OPTOMETRISTS

	<u>FY 80</u>	<u>FY 81</u>
Written Examination Fees	23	0
Total Contracted Services	<u>\$ 887</u>	<u>\$ 840</u>
 SUPPLIES & MATERIALS:		
Office	55	67
Photo & Reproduction	32	48
Printing	64	146
Total Supplies & Materials	<u>\$ 151</u>	<u>\$ 261</u>
 COMMUNICATIONS:		
Telephone - Long Distance Usage	202	169
Postage & Mailing	293	306
Telephone - STS Usage	78	68
Total Communications	<u>\$ 573</u>	<u>\$ 543</u>
 TRAVEL:		
In-state Personal Car Mileage	345	925
In-state Aircraft Rental	360	0
In-state Other	50	2
In-state Meals	196	229
In-state Lodging	210	250
Out-of-state Personal Car Mileage	228	0
Out-of-state Commercial Transportation	398	405
Out-of-state Other	10	25
Out-of-state Meals	101	72
Out-of-state Lodging	114	160
Out-of-state Car Rental	64	0
Total Travel	<u>\$ 2,076</u>	<u>\$ 2,068</u>
 RENT:		
Meeting Rooms	99	125
Total Rent	<u>\$ 99</u>	<u>\$ 125</u>
 REPAIR & MAINTENANCE:		
Office Equipment	71	51
Total Repair & Equipment	<u>\$ 71</u>	<u>\$ 51</u>
 OTHER EXPENSES:		
Dues	200	200
Subscriptions	10	0
Registration Fees for Training Conference	75	85
Total Other Expenses	<u>\$ 285</u>	<u>\$ 285</u>
 TOTAL OPERATING EXPENSES	<u>\$ 4,142</u>	<u>\$ 4,173</u>
 GRANTS:		
Educational Grants	0	500
Total Grants	<u>\$ 0</u>	<u>\$ 500</u>
 TRANSFER ADMINISTRATIVE COSTS	<u>\$ 826</u>	<u>\$ 800</u>
 TOTAL ALL EXPENDITURES	<u>\$ 8,438</u>	<u>\$ 9,024</u>

BOARD OF OPTOMETRISTS

	<u>FY 80</u>	<u>FY 81</u>
TOTAL APPROPRIATION	\$ 9,494	\$ 9,856
UNEXPENDED APPROPRIATION	\$ 1,056	\$ 832
EARMARKED REVENUE ACCOUNT BALANCE - FYE	\$ 26,720	\$ 26,643

VII. BOARD MEMBERSHIP DURING BIENNIUM

Chris E. Berg, O.D., Box 1116, Conrad Mt.	4/3/81
J. R. Crabtree, O.D., Box 856, Choteau, MT.	4/3/83
Carl A. Totman, O.D., Box 477 Malta, MT. (resigned 4/23/81)	4/3/83
Teresa R. McKeon, Box 545, Malta, MT.	2/20/83
John D. Dedrickson, O.D., Box K, Libby, MT.	4/3/85

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 66, L., 1981 provided an act to delete the requirement that optometrists must register their licenses in counties where they practice; amending section 37-10-301, MCA; and repealing section 37-10-305, MCA.

Chapter 341, L., 1981, An act to delete citizenship as a qualification for licensure as an optometrist; amending section 37-10-302, MCA; and providing for an immediate effective date.

Chapter 543, L., 1981 provided an act to reestablish the board of optometrists under existing statutory authority and rules; providing for staggered 4 year terms for board members; removing restrictions against advertising; clarifying the authority to fit contact lenses; and updating the grounds for revocation of a license.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To study the feasibility of sponsoring a continuing education program to maintain and improve professional competency. To actively pursue the matter of opticians illegally fitting contact lenses. To continually review the procedures utilized for administering the examination for licensure to arrive at a fair and thorough examination.

BOARD OF OSTEOPATHIC PHYSICIANS

I. GOALS AND OBJECTIVES

Goals: Licensure of only those applicants qualified according to law to practice osteopathy. Exercising of jurisdiction in this health care profession so that the public may be properly protected by having a responsible state authority to present problems arising from unqualified or incompetent practice of osteopathy. Licensure of only those applicants who, by education and training meet statutory and professional competency in the field. Investigate complaints from the public concerning licensees.

Objectives: Continue to renew 32 licensees per year with minimum regulation of the practice due to lack of funds. To insure only qualified and licensed osteopathic physicians practice in Montana.

II. SUMMARY OF BOARD ACTIVITIES

1. One board meeting was held during each fiscal year. All members were in attendance.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received By Category:		
Osteopathic Physician	0	0
Examinations Given by Category:		
Osteopathic Physician	0	0
New Licenses Granted by Category:		
Osteopathic Physician	0	0
Licenses Renewed by Category:		
Osteopathic Physician - Active	18	17
- Inactive	16	15
Total Licensees at FY End By Category:		
Osteopathic Physician - Active	18	17
- Inactive	16	15
Total	34	32

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Unlicensed individual using D.O. and Osteopathic Physician in his office work. Letter written to individual and he agreed to cease using the initials or words "Osteopathic Physician". County Attorney assisted in this effort. Complaint received from the public	1	0
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No other complaints were received.

BOARD OF OSTEOPATHIC PHYSICIANS

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

	<u>FY 80</u>	<u>FY 81</u>
REVOKED: Osteopathic Physician	0	0
SUSPENDED: Osteopathic Physician	0	0
FAILURE TO PAY RENEWAL FEE License Declared Void	1	2

VI. FISCAL INFORMATION

REVENUE:

Active Practice Renewal	293	270
Inactive Practice Renewal	<u>112</u>	<u>105</u>
Total Revenue	<u>405</u>	<u>375</u>

EXPENDITURES:

PERSONAL SERVICES:		
Hourly Wages - Employees	103	123
Other Compensation - Board	80	60
Employee Benefits	<u>14</u>	<u>27</u>
Total Personal Services	<u>197</u>	<u>210</u>

CONTRACTED SERVICES:

Consultant & Professional Services	0	6
Legal Fees & Court Costs	<u>47</u>	<u>7</u>
Total Contracted Services	<u>47</u>	<u>13</u>

SUPPLIES & MATERIALS:

Office	1	2
Photo & Reproduction	4	3
Building Materials	<u>0</u>	<u>100</u>
Total Supplies & Materials	<u>5</u>	<u>105</u>

COMMUNICATIONS:

Telephone - STS Usage	5	2
Postage & Mailing	<u>15</u>	<u>8</u>
Total Communications	<u>20</u>	<u>10</u>

TRAVEL:

In-State Personal Car Mileage	192	116
In-State Meals	33	15
In-State Lodging	<u>42</u>	<u>21</u>
Total Travel	<u>267</u>	<u>152</u>

TOTAL OPERATING EXPENSES	339	280
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TRANSFER ADMINISTRATIVE COSTS	39	40
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TOTAL ALL EXPENDITURES	<u>575</u>	<u>530</u>
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BOARD OF OSTEOPATHIC PHYSICIANS

	<u>FY 80</u>	<u>FY 81</u>
TOTAL APPROPRIATION	633	647
UNEXPENDED APPROPRIATION	58	117
EARMARKED REVENUE ACCOUNT BALANCE-FYE	<u>410</u>	<u>355</u>

VII. BOARD MEMBERSHIP DURING BIENNIUM

	<u>TERM EXPIRATION</u>
Lester F. Howard, D.O., 116 -1st Ave. N. Gt. Falls, MT.	3/27/81
Maro P. Mead, D.O., 346 Beverly Hill Blvd. Billings, MT.	3/27/83
Clem L. Shafer, Jr., D.O., 1900 N. Main, Helena, MT.	3/27/84

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 87, L. 1981 provided for termination of the Board of Osteopathic Physicians and to transfer regulation of Osteopathy to the Board of Medical Examiners under existing law and rules of the Board of Osteopathic Physicians on July 1, 1981.

BOARD OF PHARMACISTS

I. GOALS AND OBJECTIVES

Goals: The practice of pharmacy is a professional practice affecting the public health, safety, and welfare and is subject to regulation and control in the public interest.

It is a matter of public interest and concern that the practice of pharmacy merit and receive the confidence of the public.

It is the board's responsibility to make certain that only qualified persons be permitted to engage in the practice of pharmacy in the state of Montana.

It is the board's responsibility to set standards of competence for the practice of pharmacy in the state of Montana.

It is the board's responsibility to assure uniform qualifications and continued competency of licensed pharmacists.

It is the board's purpose to promote, preserve, protect the public health, safety, and welfare by and through the effective control and regulation of the practice of pharmacy.

Objectives: In order to realize the above goals, the Board of Pharmacists shall

license drug outlets engaged in the manufacturing, production, sale, and distribution of drugs, medications, devices, and such other materials as may be used in the diagnosis and treatment of injury, illness, and disease.

regulate the quality of drugs and medicines dispensed in this state, using the United States Pharmacopoeia and the National Formulary or revisions thereof as standards.

adopt rules necessary or proper to carry out provisions in a fair, impartial, and nondiscriminatory manner.

grant license to each candidate judged to have the required proficiency for the practice of pharmacy.

promulgate, adopt, amend, and repeal such rules as may be deemed necessary for the proper administration and enforcement of the statutes.

make annual field checks of all certified pharmacies, registered pharmacists, registered interns, and others involved in the distribution of drugs for compliance with the statutes and rules pertaining to the practice of pharmacy.

supervise interns and the internship program.

investigate all complaints registered with the board involving any registrant.

hold hearings when deemed necessary and to dismiss charges, suspend

BOARD OF PHARMACISTS

or revoke licenses according to the evidence produced and the decision of the board.

maintain reasonable and continuing supervision and surveillance over all licensees.

continue to be involved in regional and national decisions affecting the practice of pharmacy.

II. SUMMARY OF BOARD ACTIVITIES

Six board meetings were held and the NABPLEX, Practical/Jurisprudence and Reciprocity examinations were administered during four of the meetings. Mandatory continuing education was implemented. There were 142 on-site inspections in FY 80 and 144 in FY 81. The 1977 Sunset Law terminated the board on July 1, 1981 and after a sunset review, it was recommended to the 1981 Legislature and passed for the reestablishment of the board with other recommendations. (See Legislative Activities for a detailed report.) Housecleaning changes were made of several laws regulating the practice of pharmacy. The rules were recodified pursuant to Chapter 600, Laws of Montana 1979. There were four Notices of Proposed Rule Changes and/or Adoptions and five Administrative Orders filed which included a general revision of the rules, an increase in the examination fee, the scheduling of controlled substances and the defining of gross immorality.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Pharmacist Examination	29	38
Pharmacist Reciprocity	18	25
Certified Pharmacies	31	18
Stores other than Pharmacies	72	44
DDA Distribute	3	8
DDA Dispense	31	15
Examinations Given by Category (passing)		
Pharmacist NABPLEX	29 (28)	38 (37)
Pharmacist Pract./Jurisprudence	21 (21)	34 (34)
Pharmacist Reciprocity	17 (17)	25 (25)
New Licenses Granted by Category		
Pharmacist Examination	27	27
Pharmacist Reciprocity	17	25
Certified Pharmacies	31	18
Stores other than Pharmacies	72	44
DDA Distribute	3	8
DDA Dispense	31	15
Intern	77	26

BOARD OF PHARMACISTS

	<u>FY 80</u>	<u>FY 81</u>
Licenses Renewed by Category		
Pharmacists	970	1,054
Certified Pharmacies	297	314
Stores other than Pharmacies	1,629	185
DDA Distribute	67	68
DDA Dispense	267	273
DDA Analyze/Conduct Research	3	3
Total Licensees at FYE by Category		
Pharmacists	1,128	1,040
Certified Pharmacies	295	298
Stores other than Pharmacies	1,652	0
DDA Distribute	69	75
DDA Dispense	273	273
DDA Analyze/Conduct Research	3	3
Continuing Education		
Programs Approved	61	68
Verified	70	31
Report Forms Reviewed	913	1,006

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION DURING BIENNIUM

Unprofessional or illegal conduct of pharmacist	18	Charges not substantiated after investigation	7
		Referred to proper agency for their action	2
		Received assurance of corrective action	2
		Referred to board-board action-Suspension	2
		Sent complaint form-no response	1
		Informed pharmacist of problem	2
		Charges not substantiated-informed pharmacist	1
		Referred to board-reprimand issued	1
Unprofessional or illegal conduct of other professional	26	Charges not substantiated	2
		Referred to proper agency for their action	19
		Received assurance of corrective action	2
		Informed pharmacist of problem	1
		Informed pharmacist and referred to other agency	1
		Referred to proper agency-received assurance of corrective action	1
Unlicensed individual alleged to be filling, writing or dispensing prescriptions	1	Investigated-charges referred to proper agency	1

BOARD OF PHARMACISTS

Sale of contraceptives by business not licensed as a pharmacy	5	Investigated-received assurance of corrective action	5
Irregularity of prescription dispensed to consumers	3	Charges not substantiated	1
		Received assurance of corrective action	1
		Investigated-informed area pharmacist	1
Unlicensed person suspected of filling, writing or dispensing prescriptions or no pharmacist present	10	Referred to proper agency for action	5
		Received assurance of corrective action	3
		Charges not substantiated	2
Fraud suspected involving members of the public	11	Referred to proper agency for their action	7
		Investigated-informed area pharmacist	4
Sale of misbranded or mislabeled drugs or sale without license	7	Investigated-charges not substantiated	3
		Investigated-referred to proper agency	3
		Sent complaint form-no response	1
Other-hospital administrator on pharmacy inspection, taking prescriptions over the phone, poisoning of dogs, Medicaid reimbursement unfair and etc.	7	Investigated-charges not substantiated	2
		Referred to proper agency for action	2
		Received assurance of corrective action	1
		Inspection procedure explained	1
		Investigated-informed area pharmacist	1

Of the 88 complaints received during the biennium, 36 were received from pharmacists, 21 from a government agency, 4 from a police department, 14 from consumers, 5 from health professionals, 2 from inspector and 6 from other sources.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

	FY 80	FY 81
Revoked (Federal Court Action)	1	0
Suspended	0	2
Other Disciplinary Actions (reprimand)	1	0
Failure to pay renewal fee and/or comply with continuing education	29	129

VI. FISCAL INFORMATION

REVENUE:

Pharmacist Reciprocity	\$ 3,600	\$ 4,800
Pharmacist Original/Renewal	13,695	15,900
Pharmacist Late Renewal	300	693
Pharmacy Original/Renewal	13,255	11,920
Pharmacy Late Renewal	455	65
Stores other than Pharmacies	17,830	2,331
Pharmacist Intern	930	420

BOARD OF PHARMACISTS

	FY 80	FY 81
DDA Manufacture/Distribute	7,000	7,600
DDA Dispense	3,020	2,880
DDA Research/Analyze	30	30
Copies of Documents	177	97
Transcripts	100	105
Pharmacist Examination	1,255	1,970
Total Revenue	\$61,647	\$48,811

EXPENDITURES:

PERSONAL SERVICES:		
Hourly wages - employees	31,307	33,468
Other compensation - board	1,100	1,225
Employee Benefits	5,344	5,926
Total Personal Services	\$37,751	\$40,619
CONTRACTED SERVICES:		
Consultant & Professional Services	1,030	1,676
Legal Fees & Court Costs	1,137	1,160
Printing - Contracted	410	268
Written Exam Fees	525	1,382
Total Contracted Services	\$ 3,102	\$ 4,486
SUPPLIES & MATERIALS		
Office	383	322
Photo & Reproduction	142	177
Printing - Duplicating	1,059	518
Books	25	0
Other - Food	0	4
Other - Building Materials	*Never used	
board credited	0	200*
Total Supplies & Materials	\$ 1,609	\$ 1,221
COMMUNICATIONS:		
Telephone-Long Distance Usage	317	315
Postage & Mailing	1,979	2,148
Telephone-STS Usage	327	442
Other-Local Service & Equipment	317	262
Total Communications	\$ 2,940	\$ 3,167
TRAVEL:		
In-State Personal Car Mileage	2,239	2,600
In-State Commercial Transportation	92	0
In-State Motor Pool	42	0
In-State Other	6	0
In-State Meals	1,157	1,297
In-State Lodging	1,304	1,422
Out-of-State Commercial Transportation	769	1,620
Out-of-State Other	5	75
Out-of-State Meals	265	269
Out-of-State Lodging	650	820
Out-of-State Personal Car Mileage	315	0
Special Fees	0	2
Total Travel	\$ 6,844	\$ 8,105

BOARD OF PHARMACISTS

	<u>FY 80</u>	<u>FY 81</u>
RENT:		
Buildings	1,200	1,200
Meeting Rooms	60	112
Other-Office Equipment	220	30
Total Rent	<u>\$ 1,480</u>	<u>\$ 1,342</u>
REPAIR & MAINTENANCE:		
Office Equipment	0	64
Total Repair & Maintenance	<u>\$ 0</u>	<u>\$ 64</u>
OTHER EXPENSES:		
Dues	175	130
Registration Fees for Training	143	255
Subscriptions	68	156
Total Other Expenses	<u>\$ 386</u>	<u>\$ 541</u>
TOTAL OPERATING EXPENSES	\$16,361	\$18,926
EQUIPMENT:		
Office	124	172
Total Equipment	<u>\$ 124</u>	<u>\$ 172</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 3,851	\$ 4,814
TOTAL ALL EXPENDITURES	\$58,087	\$64,531
TOTAL APPROPRIATION	\$65,485	\$68,786
UNEXPENDED APPROPRIATION	\$ 7,398	\$ 4,255
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$97,449	\$79,415

VII. BOARD MEMBERSHIP DURING BIENNIUM

Palmer M. Kronen, R.Ph., 621 Pattee Creek Dr., Missoula, MT	7/1/79
Terry J. Donahue, R.Ph., 2812 Goodwin, Butte, MT	7/1/80
James R. Carlson, R.Ph., Box 130, Miles City, MT	7/1/81
Del L. Steiner, R.Ph., c/o Gibson Pharmacy, 1600 Main, Billings, MT	7/1/82
D. Wayne Bollinger, R.Ph., 310 Sunnyview Lane, Kalispell, MT	7/1/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 389, L. 1981, An act setting penalties for fraudulently obtaining dangerous drugs.

Chapter 481, L. 1981, An act to enact the provisions of the Model Drug Paraphernalia Act; providing for a definition of drug paraphernalia; providing penalties for its sale, possession, or advertisement; and providing for forfeiture.

Chapter 333, L. 1981, An act to authorize the sale by prescription of Dimethyl Sulfoxide (DMSO).

BOARD OF PHARMACISTS

Chapter 341, L. 1981, An act to delete citizenship as a qualification for licensure as a pharmacist.

Chapter 95, L. 1981, An act to require a code imprint on certain drugs as a means of identification; providing for administration by the board of pharmacists.

Chapter 362, L. 1981, An act to reestablish the board of pharmacists under existing statutory authority and rules; adding two public members to the board; deleting the store license requirement; deleting felony conviction as grounds for denial or revocation of license.

Chapter 379, L. 1981, An act to revise and clarify that law creating the board of pharmacists and the laws administered by the board of pharmacists.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Print and distribute a law and rule book, review all forms used and revise when needed, update the Controlled Substances Act, and set fees commensurate with increased costs associated with administering the requirements of the pharmacy law.

BOARD OF PHYSICAL THERAPY EXAMINERS

I. GOALS AND OBJECTIVES

Goals: To promulgate and maintain a standard of competence in the practice of physical therapy in Montana consistent with the interests of its citizens in providing for health, safety, and welfare, and to protect the public from unprofessional, improper, unauthorized, and unqualified practitioners.

Objectives: Renew all valid licenses annually and process all qualified candidates for licensing. Conduct testing session twice a year. Process applicants for reciprocal licensure. To investigate all legitimate complaints of incompetent or illegal practice, and to pursue all such complaints through legal means when circumstances so justify.

II. SUMMARY OF BOARD ACTIVITIES

Four Board meetings were held during FY 80 and two in FY 81.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications received	22	19
Number of examinations (individuals)	3	3
Number of examinees passing	3	3
Number of new licensees	6	19
Number of reciprocity licensees	4	16
Number of temporary licenses	9	9
Number of licenses renewed	172	186
Total number of licensees	181	193

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Non-licensed person practicing physical therapy	Contracted an investigator-school hired a licensed physical therapist	0	1
Licensee charged with medicare fraud	Action taken under the medical board prior to P.T. Board creation	1	0
Chiropractor advertising physical therapy services	Letter of warning to the chiropractor	0	1

V. NUMBER OF LICENSES REVOKED OR SUSPENDED

Suspensions	0	0
Revocations	0	0
Non-renewals void license	2	6

BOARD OF PHYSICAL THERAPY EXAMINERS

VI.

FISCAL INFORMATION

	<u>FY 80</u>	<u>FY 81</u>
REVENUE:		
Physical Therapist Application	1,200	300
Physical Therapist Renewal	4,690	4,375
Physical Therapist Temporary	200	0
Physical Therapist Reciprocity	0	1,350
Penalty/Late Renewal	<u>0</u>	<u>50</u>
Total Revenue	\$ 6,090	\$ 6,075
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly Wages - employees	1,082	1,805
Other Compensation - board		25
Employee Benefits	191	311
Total Personal Services	<u>\$ 1,273</u>	<u>\$ 2,141</u>
CONTRACTED SERVICES:		
Consultant & Professional Services	31	59
Legal Fees & Court Costs	306	357
Printing-Contracted	287	112
Written Exam Fees	<u>35</u>	<u>105</u>
Total Contracted Services	<u>\$ 659</u>	<u>\$ 633</u>
SUPPLIES & MATERIALS		
Office	131	31
Photo & Reproduction	20	34
Printing-Duplicating	69	60
Other - food	<u>2</u>	<u>2</u>
Total Supplies & Material	<u>\$ 222</u>	<u>\$ 127</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	10	97
Postage & Mailing	171	267
Telephone-STS Usage	24	59
Total Communications	<u>\$ 205</u>	<u>\$ 423</u>
TRAVEL:		
In-State Personal Car Mileage	293	265
In-State Commercial Transportation	272	133
In-State Meals	132	77
In-State Lodging	<u>0</u>	<u>56</u>
Total Travel	<u>\$ 697</u>	<u>\$ 531</u>
OTHER EXPENSE:		
Freight & Express	<u>0</u>	<u>10</u>
TOTAL OPERATING EXPENSES	\$ 1,783	\$ 1,724
EQUIPMENT:		
Office	<u>0</u>	<u>204</u>
Total Equipment	<u>\$ 0</u>	<u>\$ 204</u>
TRANSFER ADMINISTRATIVE COSTS	\$ 222	\$ 337
TOTAL ALL EXPENDITURES	\$ 3,278	\$ 4,406

BOARD OF PHYSICAL THERAPY EXAMINERS

	<u>FY 80</u>	<u>FY 81</u>
TOTAL APPROPRIATION	\$ 5,295	\$ 5,449
UNEXPENDED APPROPRIATION	\$ 2,017	\$ 1,043
EARMARKED ACCOUNT BALANCE-FYE	\$ 2,963	\$ 4,557

VII. BOARD MEMBERS, ADDRESS AND TERM OF OFFICE

Joe Luckman, RPT, 156-18th Ave. N.W., Great Falls, MT.	7/1/80
Helen Jorgenson, RPT, 3427 Timberline Dr., Billings, MT.	7/1/84
Thomas Larson, RPT, 1019 W. Woolman, Butte, MT.	7/1/82
Jerry Connolly, RPT, 1241 N. 28th, Billings, MT.	7/1/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 240, l. 1981, to allow physical therapists to evaluate without referral. Chapter 456, L. 1981 revises the physical therapy licensing law by clarifying the qualifications of an applicant and provides guide-lines and rulemaking authority for issuance of a temporary license.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To continue to revise and up-date statutes and rules. To properly maintain records for the Sunset Audit. To increase the budget for FY 84 and FY 85, as well as increase the FTE. To research the possibilities of mandatory continuing education.

BOARD OF PLUMBERS

I. GOALS AND OBJECTIVES

Goals: To assure to the public that all licensed master and journeyman plumbers are duly qualified to perform the work for which they have been licensed.

Objectives: To protect the public from undesirable plumbing practices, to license all persons qualified to be plumbers, to investigate complaints and conduct hearings, to provide technical assistance to the code enforcement agency, to adequately examine applicants as to their competence, experience, and qualifications, to review and renew those licenses currently in effect.

II. SUMMARY OF BOARD ACTIVITIES

Board conducted 6 meeting in FY 80 and gave 5 examinations. They conducted 4 meetings in FY 81 and gave 4 examinations. Presented legislation in the 1981 session unsuccessfully.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications by category		
Masters	39	49
Journeyman	72	52
Total	<u>111</u>	<u>106</u>
Examinations by category (Passed)		
Masters	35 (22)	46 (27)
Journeyman	68 (43)	40 (27)
Total	<u>103 (65)</u>	<u>86 (54)</u>
New licenses issued by category		
Masters	22	27
Journeyman	43	27
Total	<u>65</u>	<u>54</u>
Licenses renewed by category		
Masters	343	349
Journeyman	563	569
Total licensees at FYE by category	906	945

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Individual working without license	Letters mailed and 10 were resolved	12	4
No permits obtained	letters written and permits obtained	2	3

BOARD OF PLUMBERS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Improper installation of a water softner	No jurisdiction, exempt in law	0	1
Loan of license	Unresolved at this time		1

None of the complaints were filed by the public

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

None during the biennium

Failure to pay renewal fees - license declared void	27	23
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VI. FISCAL INFORMATION

REVENUE:

Master plumber renewal	3,415	3,445
Journeyman plumber renewal	5,841	5,865
Copies of documents	1	0
Master plumber examination	2,050	2,350
Journeyman plumber exam	3,160	2,675
Plumbing code book	815	615
Total Revenue	\$15,282	\$ 14,950

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages	17,524	20,819
Other compensation-board	1,400	1,560
Employee benefits	3,174	3,873
Total Personal Services	\$22,098	\$ 26,252

CONTRACTED SERVICES:

Consultant & Professional Services	71	166
Legal Fees & Court costs	1,520	1,782
Printing-contracted	224	213
Written exam fees	11	0
Private legal counsel	305	0
Total Contracted Services	\$ 2,131	\$ 2,161

SUPPLIES & MATERIALS

Office	281	293
Photo & Reproduction	112	96
Printing-Duplicating	87	250
Books	440	535
Other	9	30
Plumbing	160	271
Shop supplies	503	0
Total Supplies & Materials	1,592	1,475

COMMUNICATIONS:

Telephone-long distance usage	81	169
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BOARD OF PLUMBERS

	FY 80	FY 81
Postage & Mailing	596	830
Telephone - STS Usage	84	87
Other-local service & equip.	1	0
Total Communications	\$ 762	\$ 1,086
TRAVEL:		
In-stated personal car mileage	4,174	2,156
In-state commercial travel	0	115
In-state motor pool	139	1,588
In-state other	5	20
In-state meals	1,142	1,112
In-state lodging	1,271	1,093
Total Travel	\$ 6,731	\$ 6,084
RENT:		
Meeting rooms	39	25
Other-storage	146	146
Total Rent	185	171
REPAIR & EQUIPMENT		
Office equipment	71	50
Radio	20	0
Minor tools & instruments	25	0
Total repair & Maintenance	125	50
OTHER EXPENSES:		
Dues & Registration for Training	100	160
Books for sale	560	0
Total other expenses	\$ 660	\$ 160
TOTAL OPERATING EXPENSES	\$12,186	\$11,187
EQUIPMENT	0	220
TRANSFER ADMINISTRATIVE COSTS	2,866	2,954
TOTAL ALL EXPENDITURES	\$37,150	\$40,613
TOTAL APPROPRIATION	\$45,555	\$48,003
UNEXPENDED APPROPRIATION	\$ 8,405	\$ 7,390
EARMARKED ACCOUNT BALANCE FYE	\$74,367	\$48,140

VII. BOARD MEMBER NAMES, ADDRESS AND TERM OF OFFICE

Arthur W. Clarkson, Dept. of Health, Helena, MT.	1/80
Dan Fraser, Dept. of Health, Helena, MT.	
John Harwood, Box 117, Plains, MT.	5/4/80
Donald Kristensen, 7380 Eagle Rd., Bozeman, MT.	5/4/83
Mike Mizenko, 3233-8th Ave. S., Great Falls, MT.	5/4/82
Floyd Stewart, 129 E. Park, Butte, MT.	5/4/82
Walter E. Tynes, Box 127, Ulm, MT.	5/4/83
Roy Prussing, Box 20492, Billings, MT.	5/4/84

BOARD OF PLUMBERS

Daniel P. Antonietti, 5 Wood Court, Helena, MT.

7/1/83

William A. Christman, 8063 Canyon Ferry Rd., Helena, MT.

7/1/83

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 549, L. 1979 reestablished the board and added two additional public members to create a 9 member board.

BOARD OF PODIATRY EXAMINERS

I. GOALS AND OBJECTIVES

To examine the credentials of all applicants to see that they meet the educational requirements and that all applicants are of good moral character. To formulate and administer an examination for licensing. Investigate complaints of alleged misconduct.

II. SUMMARY OF ACTIVITIES

Three board meetings in FY 81. All board members in attendance.

III. STATISTICS ILLUSTRATING ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Podiatry *Did not appear for exam	*1	3
Examinations Given by Category	0	0
New Licenses Granted by Category		
Podiatry - Reciprocity	0	3
Licenses Renewed by Category		
Podiatry	31	31
Total Licenses at FYE By Category		
Podiatry	31	31

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

No complaints received during the biennium.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

No licenses revoked or suspended during the biennium.

VI. FISCAL INFORMATION

REVENUE:

Podiatry original or renewal	995	850
Total Revenue	\$ 995	\$ 850

EXPENDITURES:

PERSONAL SERVICES:

Employee Salaries	122	90
Other Compensation - board	10	5
Employee Benefits	27	17
Total Personal Services	\$ 159	\$ 112

CONTRACTED SERVICES

Consultant & Professional Services	34	6
Legal Fees & Court Costs	15	16
Printing-Contracted	64	0
Total Contracted Services	\$ 113	\$ 22

BOARD OF PODIATRY EXAMINERS

SUPPLIES AND MATERIALS:	FY 80	FY 81
Office	<u>53</u>	<u>2</u>
Photo & Reproduction	4	8
Printing-Duplicating	<u>12</u>	<u>0</u>
Total Supplies & Materials	\$ 69	\$ 10
COMMUNICATIONS:		
Telephone-Long Distance Usage	76	111
Postage & Mailing	28	31
Telephone-STS Usage	<u>4</u>	<u>14</u>
Total Communications	\$ 108	\$ 156
TRAVEL:		
In-State Personal Car Mileage	81	46
In-State Meals	<u>20</u>	<u>3</u>
Total Travel	\$ 101	\$ 49
OTHER EXPENSES		
Dues	<u>25</u>	<u>0</u>
Total Other Expenses	\$ 25	\$ 0
TOTAL OPERATING EXPENSES	\$ 416	\$ 237
TOTAL TRANSFER COSTS	\$ 27	\$ 60
TOTAL ALL EXPENDITURES	\$ 602	\$ 409
TOTAL APPROPRIATION	\$ 1,034	\$ 1,101
UNEXPENDED APPROPRIATION	\$ 432	\$ 692
EARMARKED REVENUE ACCOUNT BALANCE - FYE	\$ 1,561	\$ 1,890

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

W. W. Wilkinson, D.P.M., 600 Central Ave., #434, Gt. Falls, MT.	10/1/79
Loren L. Rogers, D.P.M., 218 E. Front St., Missoula, MT.	10/1/80
Maurice P. Hamill, D.P.M., 24 E. 16th St., Helena, MT.	10/1/81
Richard Loesch, D.P.M., 1419 Helena Ave., Helena, MT.	10/1/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 470, L. 1981 provided for the termination of the Board of Podiatry Examiners and transfer regulation of podiatrists to the Board of Medical Examiners under existing law as amended and existing rules. Provides for adding a podiatrist to the Board of Medical Examiners. Effective date is July 1, 1981.

PRIVATE INVESTIGATORS

I. GOALS AND OBJECTIVES

Goals: To carry out the law as written so the public may have confidence and trust in the individuals licensed. People licensed in this field have access to homes, business concerns and information which requires that they meet specific standards for public protection.

Objectives: To provide information to the public, applicants, licensees and other agencies of city, county and state government. To review and examine 35 to 50 applicants per year. To license 35 to 45 applicants per year. Provide for renewal of 155 to 165 licensees per year and to issue new identification cards each year. Provide for licensure denial to any applicant not qualified and to investigate valid complaints. To review and update three separate examination categories periodically. To review rules and forms on periodic basis.

II. SUMMARY OF ACTIVITIES

A board does not exist for this licensing area. The director of the department is responsible for administration and enforcement of the provisions of this chapter.

III. STATISTICS ILLUSTRATING ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category:		
Private Investigators	20	26
Private Patrol Operators	12	15
Private Alarm Installers	6	2
Private Merchant Patrolman	2	1
Private Security Guard Operator	3	2
Total Applications Received	<u>43</u>	<u>46</u>

Examinations Given by Category - Passing Shown

in ():		
Private Investigators	12 (12)	21 (19)
Private Patrol Operators	7 (6)	15 (15)
Private Alarm Installers	3 (3)	2 (2)
Private Merchant Patrolman	1 (1)	2 (1)
Private Security Guard Operator	2 (2)	2 (2)
Total Examinations	<u>25 (24)</u>	<u>42 (39)</u>

New Licenses Granted by Category:

Private Investigators	16	25
Private Patrol Operators	7	18
Private Alarm Installers	5	1
Private Merchant Patrolman	1	1
Private Security Guard Operator	2	3
Total New Licenses Granted	<u>31</u>	<u>48</u>

Licenses Renewed by Category:

Private Investigators	68	83
Private Patrol Operators	37	38
Private Alarm Installers	30	22
Private Merchant Patrolman	10	9

PRIVATE INVESTIGATORS

	FY 80	FY 81
Private Security Guard Operator	8	13
Total Licenses Renewed	153	165

Total Licenses at FYE by Category:

Private Investigators	94	95
Private Patrol Operator	50	51
Private Alarm Installer	26	28
Private Merchant Patrolman	6	8
Private Security Guard Operator	12	13
Total Licenses at FYE	188	195

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Individual Performing work requiring a license	5	2
Licensee not confining work to scope of licensure	1	0
Disparaging public remarks about a competitor	0	1

All complaints were resolved with a letter written to individuals involved. One complaint resulted in the department filing a complaint with the County Attorney. No action taken by County Attorney, but individual was eventually licensed.

All complaints were received from licensee's and no complaints were received from the public.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

No licenses were revoked or suspended.		
Letter of caution to licensee	1	1
Failure to Pay Renewal Fee		
Private Investigators	6	1
Private Patrol Operators	5	1
Private Alarm Installers	5	2
Private Merchant Patrolman	1	2
Private Security Guard Operator	1	1
Total	18	7

VI. FISCAL INFORMATION

REVENUE:

Private Investigator Renewal Fees	1,525	1,645
Private Investigators Application Fee	1,195	1,070
Private Investigators Examination Fee	220	330
Security Check Fee	45	55
Total Revenue	\$2,985	\$3,100

EXPENDITURES:

PERSONAL SERVICES		
Hourly Wages	1,699	1,491
Employee Benefits	256	228
Total Personal Services	1,955	1,719

PRIVATE INVESTIGATORS

CONTRACTED SERVICES	FY 80	FY 81
Consultant & Professional Services	43	0
Legal Fees & Court Costs	50	12
Printing - Contracted	226	125
Total Contracted Services	319	137
SUPPLIES & MATERIALS		
Office	156	141
Photo & Reproduction	22	46
Printing - Duplicating	85	46
Professional	0	4
Total Supplies & Materials	263	237
COMMUNICATIONS		
Postage & Mailing	184	236
Telephone - STS Usage	33	24
Total Communications	217	260
TOTAL OPERATING EXPENSES	799	634
TRANSFER ADMINISTRATIVE COSTS	179	275
OFFICE EQUIPMENT		192
TOTAL OF ALL EXPENDITURES	\$2,933	\$2,820
TOTAL APPROPRIATION	\$2,933	\$3,071
UNEXPENDED APPROPRIATION	\$ 0	\$ 251
earmarked revenue account balance - FYE	\$5,991	\$5,958

VII. LEGISLATIVE OR COURT ACTION AFFECTING LICENSING AREA

Attorney General's Opinion No. 58 -- Volume No. 38, was issued on November 29, 1979 stating that reserve officers as defined in Section 7-32-201(5), MCA and regardless of the source of any income they may receive, shall be considered exempt under section 37-60-105(2), MCA, when they are serving on the orders and at the direction of the chief law enforcement administrator of the local government,

BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS

I. GOALS AND OBJECTIVES

Goals: To safeguard life, health and property, and to promote public welfare, by endeavoring to assure that only qualified applicants become licensed. Simultaneously, it remains constantly vigilant, regulating the practice of engineering and land surveying by registered professionals. Seeking more advanced techniques in education, regulation and examinations is the constant responsibility of the board, as well as to investigate alleged complaints against registrants.

Objectives: Provide information and assistance to the public, applicants, registrants, and other state agencies and public bodies as needed or required.

Review qualifications of 550 applications per year, provide semi-annual examinations to 360 exam candidates, certify 154 reciprocity engineers per year and certify or register those who successfully pass examinations.

Act on complaints involving registrants in accordance with the law and rules and Administrative Procedures Act.

Cooperate with colleges or universities in encouraging certification of all engineering students, and improving their current and planned curricula for engineers and land surveyors in-training.

II. SUMMARY OF BOARD ACTIVITIES

A total of six board meetings were held during the biennium, three in each fiscal year. Four of the meetings were three day meetings and two were two day meetings. The 1979 legislature provided for biennial renewal and this program was started on December of 1979 with all registrants renewing, some for one year and others for two years. The split was A to L for even years and L to Z for odd years. About 53% of all registrants fall due on odd years and 47% on even years. This has created some problem in projecting revenue.

The 1979 legislature re-established the board for six years and provided for the addition of two public members. Board is now composed of nine members.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications received by category		
(EIT) Engineer-in-training	294	291
(PE) Professional Engineer - Exam	52	78
Professional Engineer - Reciprocity	154	156
(LSIT) Land Surveyor-in-Training	10	9
(LS) Land Surveyor	38	28
(ES) Engineer-Surveyor	0	3
Examinations given by category (passing)		
Engineer-in-training	268 (203)	298 (250)

BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS

	FY 80	FY 81
Professional Engineers	44 (38)	66 (58)
Land Surveyor-in-training	6 (6)	6 (4)
Land Surveyor	39 (21)	28 (25)
New Registrants by category		
Engineer-in-training	220	230
Professional Engineer	177	162
Land Surveyor-in-training	6	4
Land Surveyor	26	23
Registrants Renewed by Category		
Professional Engineers	2,330	1,233
Land Surveyors	284	151
Engineer-Surveyor	293	112
Variation in numbers is due to change to biennial renewal		
Total Registrants at FYE by category		
Professional Engineers	2,427	2,422
Land Surveyors	306	268
Engineer-Surveyor	293	280

IV

SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Complaints	Disposition	
Negligence in Surveying	(3)	(11)
	Disputed land sold	1 0
	*Revoked by Board, Appealed to District Court & Supreme Court.	
	Board sustained	1
	Resolved by surveyors	1
	Death of surveyor, closed file	1
	Closed by revocation of above*	1
	Order to complete survey and one day suspension of registration	1
	Withdrawal of complaint	1
	Closed by revocation of above*	1
	Agreement & release signed by both	1
	Returned wall certificate & seal	1
	Survey in error, moved fence into proper location	1
	Re-survey completed by board	1
	Unresolved - completed FY 82	1
	Suspension for 60 days - board order	1
False or illegal advertising	(16)	(2)
	Position description to be re-written	1
	Letter accomplished compliance	1
	Revised and corrected brochure	1
	Firm has Registered Engineer	4 1

BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS

		<u>FY 80</u>	<u>FY 81</u>
	Letter written - no reply	2	1
	Letters written - 2 are PE's and 3 allege no violation	5	
	Telephone company error in advertising	2	
Questionable land surveying policies of engineering firm	Delayed in writing LS exam. Written reprimand to engineer- surveyor	1	
Possible misconduct or unauthorized survey	Board directed solution. Work completed	1	
Dissatisfaction with neighbors survey	Engage surveyor to check work	1	
Alleged violation of architects law by engineering firm	Charges answered to satisfaction of complainant	1	
Failure to provide written report	Board notified party that work was unsatisfactory. Report provided		1
	Total Complaints	23	14

V. NUMBER OF REGISTRATIONS REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked		
Board action on revocation of land surveyor registration in FY 79 was sustained by Supreme Court decision on 8/25/80		1
Suspended		
Engineer-Surveyor		1
Other Disciplinary Action		
Letter of admonition-professional engineer	1	
Written reprimand - engineer-surveyor	1	
Verbal caution - engineer-surveyor		1

VI. FISCAL INFORMATION

REVENUE:		
Engineer Renewal	\$61,282	\$49,324
Engineer Replacement	6	188
Engineer Original Application	9,254	13,593
EIT Original Application	7,074	8,869
Land Surveyor Renewal	7,328	6,040
Land Surveyor Original	1,280	1,760
Surveyor-in-training	200	520
Engineer/Surveyor Renewal	11,054	6,755
Engineer/Surveyor Original	280	320
Copies of documents	3,878	4,324

BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS

	<u>FY 80</u>	<u>FY 81</u>
Land Surveyor Re-Exam	390	210
Engineer Re-Exam	120	90
EIT Re-Exam	300	330
LSIT Re-Exam	40	30
Total Revenue	<u>102,486</u>	<u>\$92,353</u>
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly Wages - employees	18,696	19,884
Other Compensation - board	2,312	2,906
Employee benefits	<u>3,695</u>	<u>4,094</u>
Total Personal Services	<u>\$24,703</u>	<u>\$26,884</u>
CONTRACTED SERVICES:		
Consultant & Professional Services	4,749	2,286
Data Processing Services	946	290
Legal Fees & Court Costs	969	1,185
Printing-Contracted	7,893	7,470
Written Exam Fees	5,085	3,804
Other - Private Legal Counsel	<u>3,139</u>	<u>899</u>
Total Contracted Services	<u>\$22,781</u>	<u>\$15,934</u>
SUPPLIES & MATERIALS:		
Office	2,884	3,104
Photo & Reproduction	176	446
Printing-Duplicating	301	221
Books	100	
Other- Professional	<u>118</u>	<u>500</u>
Total Supplies & Materials	<u>\$ 3,579</u>	<u>\$ 4,271</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	257	436
Postage & Mailing	2,947	2,544
Telephone - STS Usage	249	257
Other - Telephone - Onetime charges	<u>21</u>	<u></u>
Total Communications	<u>\$ 3,474</u>	<u>\$ 3,237</u>
TRAVEL:		
In-state Personal Car Mileage	2,163	1,934
In-state Commercial Transportation	302	167
In-state Other	19	2
In-state Meals	998	926
In-state Lodging	972	1,212
Out-of-state Commercial Transportation	362	1,856
Out-of-state Other		40
Out-of-state Meals	170	503
Out-of-state Lodging	341	963
In-state Aircraft Rental	148	104
Out-of-state Personal Car Mileage	<u>208</u>	<u>626</u>
Total Travel	<u>\$ 5,683</u>	<u>\$ 8,333</u>
RENT:		
Buildings		100
Meeting Rooms	<u>100</u>	<u>124</u>
Total Rent	<u>\$ 100</u>	<u>\$ 224</u>

BOARD OF PROFESSIONAL ENGINEERS & LAND SURVEYORS

	<u>FY 80</u>	<u>FY 81</u>
REPAIR & MAINTENANCE:		
Office Equipment	108	122
Total Repair & Maintenance	\$ 108	\$ 122
OTHER EXPENSES:		
Dues	1,345	1,285
Registration Fees for Training	180	875
Freight & Express	67	105
Subscriptions	90	
Total Other Expenses	\$ 1,682	\$ 2,265
TOTAL OPERATING EXPENSES	\$37,407	\$34,386
EQUIPMENT:		
Office	612	172
Total Equipment	\$ 612	\$ 172
TRANSFER ADMINISTRATIVE COSTS	\$ 5,533	\$ 7,189
TOTAL ALL EXPENDITURES	\$68,255	\$68,631
TOTAL APPROPRIATION	\$68,257	\$73,383
UNEXPENDED APPROPRIATION	\$ 2	\$ 4,752
EARMARKED ACCOUNT BALANCE FYE	\$54,779	\$82,578

VII. BOARD MEMBERSHIP DURING THE BIENNIUM

	<u>Term Expires</u>
Maurice E. Guay, 215 S. 2nd W., Missoula, MT. 59801	4/23/81
Louis Fontana, 200 - 13th St. N., Great Falls, MT. 59401	7/1/82
William W. Eyer, 504 Little, Glendive, MT. 59330	4/23/82
Dennis O. Blacketter, Montana State University, Bozeman, MT.	4/23/83
Don Henen, 4033 - 6th Ave. S., Great Falls, MT. 59401	7/1/83
William H. Tangen, Box 642, Helena, MT. 59601	4/23/84
Robert T. Haffeman, 95 - 4th Ave. W. N., Kalispell, MT. 59901	4/23/84
Donald S. Pimperton, Box 486, Fort Benton, MT. 59442	3/31/83
C. E. Abramson, 8807 Hellgate Station, Missoula, MT. 59801	3/31/83
A. T. Kersich, Box 31318, Billings, MT. 59107	4/23/84

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD DURING BIENNIUM

Board action and order in revocation of a land surveyor registration was appealed to district court and State Supreme Court and decision of both courts was to sustain board action for revocation.

Requested and received clarification on November 8, 1979 of Opinion No. 70, Vol. 35 regarding definition of the term "immediate family"

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Encourage more graduating seniors in the colleges to take the EIT examination before they graduate, then seriously plan to begin professional registration with the required four year period.

BOARD OF PROFESSIONAL ENGINEERS AND LAND SURVEYORS

Encourage the public to contact this office when they believe they may have a complaint against a registrant.

Maintain a close relationship with the technical schools who offer our basic land surveying curricula, assisting them to refine their courses to the requirements of our law.

BOARD OF PSYCHOLOGISTS

I. GOALS AND OBJECTIVES

Goals: To protect the public from the unauthorized and unqualified practice of psychology and from the unprofessional conduct by persons licensed to practice psychology through licensure and regulation.

Objectives: To review and examine applicants for licensure by checking on education qualifications and references. To give two examinations per year in April and October and to include with the written examination also an oral examination. Investigate complaints and provide hearings when required. To continue to update rules as needed. Provide information to the public, applicants, licensees and other agencies as requested. Study new developments in research, training and the practice of psychology and to make recommendations to the Governor and other state officials. Maintain a good working relationship with the National Association of Psychology Boards.

II. SUMMARY OF BOARD ACTIVITIES

The Board of Psychologists held two meetings in Helena for each of the fiscal years. One of the main issues was specialty areas and the Board's right to designate these specialty areas. The board conducted Board business and examined candidates for licensure. Provided input to the MPA Legislative Committee regarding Sunset Review. Headway is also being made to implement continuing education through the MPA.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received By Category		
Psychologists	16	14
Examinations Given By Category (Passing)		
Psychologists	11 (10)	5 (5)
New Licenses Granted By Category		
Psychologists Reciprocity	7	2
Psychologists Examination	10	5
Licenses Renewed By Category		
Psychologists	83	99
Total Licensees At FYE By Category		
Psychologists	100	106

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

Denial of Licensure because of only having Masters Degree	Appealed to District Court and District Court ordered licensure as soon as ad- ministratively feasible. Licensed 12/15/81	1	0
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BOARD OF PSYCHOLOGISTS

		<u>FY 80</u>	<u>FY 81</u>
Failed Oral Examination, licensure denied	Contested case. Matter pending	0	1
Practicing Psychology without a license	Investigated and decided work was counseling	2	0
	Work involves "hypnosis" or "hypnotherapist" and legal question is whether this comes under psychology law. Matter pending	1	0
Previous years matters re-solved during biennium			
Inaccurate application information from FY 77	Application corrected and licensed	1	

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

No licenses were revoked or suspended during biennium

Failure to pay renewal fee	4	2
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VI. FISCAL INFORMATION

REVENUE:

Psychologists Application	800	500
Psychologists examination	650	285
Psychologists Certificate	63	50
Psychologists Renewal	<u>4,275</u>	<u>5,120</u>
Total Revenue	\$ 5,788	\$ 5,955

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages - employees	972	1,859
Employee Benefits	176	320
Total Personal Services	<u>\$ 1,148</u>	<u>\$ 2,179</u>

CONTRACTED SERVICES:

Consultant & Professional Services	24	548
Legal Fees & Court Costs	1,629	846
Printing-Contracted	83	0
Written Exam Fees	816	304
Other - Private legal counsel	<u>1,863</u>	<u>0</u>
Total contracted services	<u>\$ 4,415</u>	<u>\$ 1,698</u>

SUPPLIES & MATERIALS:

Office	19	7
Photo & Reproduction	39	73
Printing-Duplicating	48	0
Other - Food	<u>0</u>	<u>2</u>
Total Supplies & Materials	<u>\$ 106</u>	<u>\$ 82</u>

BOARD OF PSYCHOLOGISTS

	<u>FY 80</u>	<u>FY 81</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	352	195
Postage & Mailing	181	174
Telephone - STS Usage	<u>21</u>	<u>19</u>
Total Communications	554	388
TRAVEL:		
In-state Personal Car Mileage	176	188
In-state Meals	54	40
In-state Lodging	<u>5</u>	<u>0</u>
Total Travel	\$ 235	\$ 228
OTHER EXPENSES:		
Dues	<u>100</u>	<u>400</u>
Total Other Expenses	\$ 100	\$ 400
TOTAL OPERATING COSTS	\$ 5,410	\$ 2,796
TRANSFER ADMINISTRATIVE COSTS	\$ 502	\$ 735
TOTAL ALL EXPENDITURES	\$ 7,060	\$ 5,710
TOTAL APPROPRIATION	\$ 7,127	\$ 7,049
UNEXPENDED APPROPRIATION	\$ 67	\$ 1,339
EARMARKED ACCOUNT BALANCE AS OF FYE	\$ 5,633	\$ 6,045

VII. BOARD MEMBERSHIP DURING BIENNIUM

Gordon F. Gerrish, Ph.D., RFD, Box 171, St. Ignatius, MT.	9/1/79
Mark Mozer, Ph.D. 1804 Dry Gulch, Helena, MT.	9/1/80
Herman A. Walters, Ph.D., 430 Evans, Missoula, MT.	9/1/81
J. Bailey Molineux, Ph.D., 910 University, Helena, MT.	9/1/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD DURING BIENNIUM

Chapter 324, L. 1981, reestablished the Board of Psychologists under existing statutory authority and rules; added two public members to the board; amended the definition of psychology; deleted code of ethics for exempted professions; amended the definition of psychology in the insurance law; and deleted felony conviction as grounds for denial or revocation of a license.

BOARD OF PUBLIC ACCOUNTANTS

I. GOALS AND OBJECTIVES

Establishment of a comprehensive continuing professional education program that will be an effective tool for maintaining professional competence in the accounting field.

Administer the semi-annual CPA examination, license all successful applicants for certification as CPAs or LPAs, renew all registered CPAs and LPAs on a yearly basis, investigate submitted formal complaints against members of the public accounting profession.

II. SUMMARY OF BOARD ACTIVITIES

Adoption of new board rules and establishment of basic requirements (personnel, forms, office, requirements, etc.) for setting up the continuing professional education program (CPE)

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	FY 80	FY 81
Applications Received By Category		
CPA and LPA	541	548
Examinations Given By Category (passing)		
CPA and LPA	512 (122)	521 (131)
New Licenses Granted By Category		
CPA	130	143
LPA	7	5
Total	<u>137</u>	<u>148</u>
Licenses Renewed By Category		
CPA	1,176	1,258
LPA	105	96
Total	<u>1,281</u>	<u>1,354</u>
Total Licenses At FYE By Category		
CPA	1,306	1,401
LPA	112	101
Total	<u>1,418</u>	<u>1,502</u>

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITIONS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITIONS</u>		
Erroneous Advertising or Advertising	Individuals notified, retractions printed and complaints dismissed	2	0
	Inactive CPA advertising in yellow pages, agreed to renew license when notified on active basis		1

BOARD OF PUBLIC ACCOUNTANTS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
	Firm stated that ad was incorrect, disowned placing the ad. Firm since disbanded		1
Title "accountant" used by unlicensed person	Needs legal clarification. Board decided not to press issued unless individual becomes involved with the "attest function" restriction.	1	
Standards of Reporting violated	Upon board review, the licensee was directed to attend CPE course in accounting auditing update and proof of attendance was submitted	1	
Out of state CPA working in Montana and not licensed in Montana	When advised by board, the individual doing work was licensed by reciprocity	1	
Alleged violation of professional ethics, commission of fraud and dishonesty and conviction of felony	After deliberation and investigation and upon legal advice the board dismissed complaint unless Montana Supreme finds CPA guilty of violation of the law. Complainant was advised that complaint may be refiled.		1
CPA failed to return records	After board notification the CPA returned records and then filed the matter with collection agency.	1	
	Records held by CPA who had license suspended for non-payment of renewal fee, moved out-of-state. No jurisdiction now.	1	
Negligence and sub-standard work.	Board investigation, now a contested case. Unresolved		1

BOARD OF PUBLIC ACCOUNTANTS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Alleged violation of professional code of ethics and possible criminal charges	Investigated, legal feels matter may be civil matter. Matter still before the board		1
	Total complaints	7	5

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	0	0
Suspended	0	0
Board required evidence of Continuing education	1	0
Failure to Pay Renewal Fee	7	8

VI. FISCAL INFORMATION

REVENUE:

CPA Original	3,025	5,525
LPA Original	175	175
CPA Renewal	29,410	62,875
LPA Renewal	2,625	4,800
Accountants Reciprocity	1,450	1,150
Accountants - Other	2,220	150
Copies of documents	220	329
Accountants - Initial Exam	11,350	11,560
Accountants - re-exam	9,580	9,750
Total Revenue	\$60,055	\$96,314

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages - employees	11,393	12,623
Other compensation - board	1,802	1,650
Employee Benefits	2,105	2,459
Total Personal Services	\$15,300	\$16,732

CONTRACTED SERVICES:

Consultant & Professional Services	484	391
Data Processing Services	1	0
Legal Fees & Court Costs	422	56
Printing-Contracted	331	408
Written Exam Fees	16,293	16,136
Private legal counsel	287	
Total Contracted Services	\$17,818	\$16,991

SUPPLIES & MATERIALS

Office	266	389
Photo & Reproduction	111	1,351
Printing-Duplicating	1,044	1,546
Books	275	900
Food	6	8
Building Materials	0	300
Total Supplies & Materials	\$ 1,702	\$ 4,494

BOARD OF PUBLIC ACCOUNTANTS

	<u>FY 80</u>	<u>FY 81</u>
COMMUNICATIONS:		
Telephone-Long Distance Usage	493	203
Postage & Mailing	2,070	2,065
Telephone - STS Usage	159	160
Other - Advertising	0	30
Other - Advertising-Prof. fees	0	50
Total Communications	<u>2,722</u>	<u>2,508</u>
TRAVEL:		
In-state Personal Car Mileage	1,321	856
In-state Motor Pool	0	88
In-state other	6	6
In-state Meals	391	289
In-state Lodging	372	201
Out-of-state Commercial Trans.	1,375	1,040
Out-of-state other	109	0
Out-of-state Meals	247	192
Out-of-state Lodging	632	607
Out-of-state Personal Car Mileage	217	216
Total Travel	<u>4,670</u>	<u>3,495</u>
RENT:		
Meeting Rooms	1,250	950
Buildings		300
Total Rent	<u>1,250</u>	<u>1,250</u>
REPAIR & MAINTENANCE:		
Office Equipment	66	47
Total Repair & Maintenance	<u>66</u>	<u>47</u>
OTHER EXPENSES:		
Advertising Exp. New Iicense	54	0
Subscriptions	215	5
Dues	850	800
Registration Fees for Train.	415	245
Freight & Express	212	207
Total Other Expenses	<u>1,746</u>	<u>1,257</u>
TOTAL OPERATING EXPENSES	\$29,974	\$ 30,042
TRANSFER ADMINISTRATIVE COSTS	\$ 3,735	\$ 4,747
TOTAL ALL EXPENDITURES	\$49,009	\$ 51,521
TOTAL APPROPRIATION	\$53,235	\$ 55,912
UNEXPENDED APPROPRIATION	\$ 4,226	\$ 4,391
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$69,141	\$101,353

VII. BOARD MEMBERSHIP DURING BIENNIIUM

J. Austin Miller, CPA, Box 518, Kalispell, MT.	7/1/82
Jack Dobbins, CPA, 3819 Stephens, Missoula, MT.	7/1/83

BOARD OF PUBLIC ACCOUNTANTS

Ian B. Davidson, Box 5015, Great Falls, MT. (resigned 11/12/80)	7/1/82
Sherman Veltkamp, CPA, Box 1965, Bozeman, MT.	7/1/81
Norvell Besinque, LPA, Box 1705, Billings, MT.	7/1/81

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 684, L. 1979 reestablished the Board of Public Accountants for a period ending July 1, 1985 and provided for general revision in the accountants law and one public member on five member board.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Establishment of a positive enforcement program (PEP) to seek out and investigate sub-standard work in the field of accounting.

BOARD OF RADIOLOGIC TECHNOLOGISTS

I. GOALS AND OBJECTIVES

Goals: To carry out the intent of the law to assure the public of safety and professionalism of those licensed to administer x-ray radiation.

Objectives: To assure that all x-ray procedures are performed by qualified, competent and experienced persons.

To continue working with the Department of Health on inspection for licensing compliance of x-ray personnel.

To enforce the statutes affecting licensure of radiologic technologists.

To make all x-ray locations aware of the licensing laws and to make them aware of the dangers of x-ray radiation.

To help fund x-ray training programs to upgrade the personnel taking x-rays, particularly those who have not completed a 24-months course in radiologic technology.

II. SUMMARY OF BOARD ACTIVITIES

Examined and licensed permit persons and radiologic technologists to assure the public that persons performing x-rays are qualified.

Made the health care professions and the public aware of the danger of radiation overexposure, resulting in training programs for x-ray personnel giving needed attention to positioning, exposure, darkroom procedures and patient safety.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Permit Applications	43	25
Radiologic Technologists Applications	<u>44</u>	<u>39</u>
Total	87	64
Examinations Given by Category (passing)		
Radiologic Technologists' qualify by taking		
ARRT Exam (National)		
Permit Examinations:		
General	45 (32)	19 (15)
Chest	38 (30)	15 (13)
Extremities	44 (20)	24 (22)
Skull	42 (12)	17 (6)
Spine	47 (17)	27 (15)
Other	21 (15)	10 (7)
New Licenses Granted by Category		
Radiologic Technologists	44	39
Permits	29	10

BOARD OF RADIOLOGIC TECHNOLOGISTS

		<u>FY 80</u>	<u>FY 81</u>
	Licenses Renewed by Category		
	Radiologic Technologists (biennial renewal)	0	441
	Permits (annual)	97	114
	Total Licensees at FYE by Category		
	Radiologic Technologists	468	455
	Permits	112	120
IV.	<u>SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION</u>		
	Non-authorized person taking x-rays	Letters written to each person explaining law	9 56
V.	<u>NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION</u>		
	No licenses or permits were revoked or suspended during the biennium		
	Failure to Pay Renewal Fee		
	Radiologic Technologists	0	61
	Permits	11	10
VI.	<u>FISCAL INFORMATION</u>		
	REVENUE:		
	Radiologic Technologists	650	630
	Radiologic License Original/Renewal	675	9,395
	Radiologic Permit Original/Renewal	1,235	1,350
	Temporary Permit	235	70
	Radiologic Technologists Exam	505	230
	Copies of Documents	5	
	Total Revenue	\$ 3,305	\$11,675
	EXPENDITURES:		
	PERSONAL SERVICES:		
	Hourly wages - employees	3,180	2,991
	Other Compensation - board	325	325
	Employee Benefits	558	607
	Total Personal Services	\$ 4,063	\$ 3,923
	CONTRACTED SERVICES:		
	Consultant & Professional Services	134	204
	Data Processing Services	4	
	Legal Fees & Court Costs	148	180
	Printing-Contracted	124	167
	Written Exam Fees	15	
	Total Contracted Services	\$ 425	\$ 551
	SUPPLIES & MATERIALS:		
	Office	179	41
	Photo & Reproduction	33	73

BOARD OF RADIOLOGIC TECHNOLOGISTS

	FY 80	FY 81
Printing - Duplicating	170	148
Books	10	
Other - food	2	4
Total Supplies & Materials	394	266
COMMUNICATIONS:		
Telephone-Long Distance Usage	28	64
Postage - Mailing	381	592
Telephone - STS Usage	30	125
Total Communications	\$ 439	\$ 781
TRAVEL:		
In-state Personal Car Mileage	472	302
In-state Commercial Transportation	192	114
In-state Other	0	3
In-state Meals	65	51
In-state Lodging	21	12
Out-of-state Commercial Transportation	0	554
Out-of-state Other		11
Out-of-state Meals	0	83
Out-of-state Lodging	0	160
Total Travel	\$ 750	\$ 1,290
RENT:		
Meeting Rooms	0	28
Total Rent	\$ 0	\$ 28
OTHER EXPENSES:		
Subscriptions	8	0
Advertising Expense (new license)	84	0
Registration Fees	0	30
Total Other Expenses	\$ 92	\$ 30
TOTAL OPERATING EXPENSES	\$ 2,100	\$ 2,946
GRANTS:		
To Professional Societies	\$ 0	\$ 200
Total Grants	\$ 0	\$ 200
TRANSFER ADMINISTRATIVE COSTS	\$ 608	\$ 810
TOTAL ALL EXPENDITURES	\$ 6,771	\$ 7,879
TOTAL APPROPRIATION	\$ 7,097	\$ 7,884
UNEXPENDED APPROPRIATION	\$ 326	\$ 5
EARMARKED REVENUE ACCOUNT BALANCE FYE	\$ 6,401	\$ 9,995

VII. BOARD MEMBERSHIP DURING BIENNIUM

Phil Harston, A.R.R.T., 1131 Jackson St., Missoula, MT.
 Donna Goodman, A.R.R.T., 529 Calhoun Lane, Billings, MT.

7/1/83
 7/1/82

BOARD OF RADIOLOGIC TECHNOLOGISTS

Howard N. Mazurkiewicz, M.D., 1101 - 26th St. S., Great Falls, MT.	7/1/84
J. Kent Boughn, M.D., 1601 Highland, Helena, MT.	7/1/83
Fred M. Long, M.D., 1006 - 1st Ave. S., Great Falls, MT.	7/1/81
Allan W. Downs, D.C., 801 Grand St., Billings, MT.	7/1/81
Reynold J. Beneditti, A.R.R.T., 509 - 21st Ave. N.E., Great Falls, MT	7/1/81

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 292, L. 1981 provided for the reestablishment of the Board of Radiologic Technologists for a six year period. The new termination date is July 1, 1987.

Chapter 150, L. 1981 provided for clarifying the role of radiologic technologist concerning contrast media and radioactive isotopes injections intravenously.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

To automate the renewal process for more efficient operations. Need more training classes for x-ray personnel, particularly those x-ray personnel who are taking limited x-rays and have no formal education or training. Have a better exam with practical as well as theory sections for those persons who are not professional radiologic technologists.

I. GOALS AND OBJECTIVES

GOALS: To regulate the licensing of real estate salespersons and brokers to safeguard the public interest in real estate transactions and require the maintenance of high ethical standards of all real estate licensees doing business with the public in the State of Montana

OBJECTIVES: Provide an examination for salespersons and brokers which will adequately test the proficiency of the applicant concerning the field of real estate.

Investigate all negligent handling of real estate matters by licensee's that become apparent from complaints or auditing of trust accounts.

II. SUMMARY OF BOARD ACTIVITIES

Instituted an audit program for trust accounts. Changed method of investigating complaints in order to reduce expenses. Reduced and brought to current status all legal matters.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received by category	<u>FY 80</u>	<u>FY 81</u>
Salesperson	1,188	1,397
Brokers	405	236
Total	<u>1,593</u>	<u>1,633</u>
Examinations given by category (passing)		
Salesperson	904 (448)	1,094 (494)
Brokers	<u>333 (251)</u>	<u>218 (141)</u>
Total	<u>1,237 (699)</u>	<u>1,312 (635)</u>
New licenses granted by category		
Salesperson	422	494
Brokers	<u>247</u>	<u>141</u>
Total	<u>669</u>	<u>635</u>
Licenses renewed by category		
Salesperson	1,964	1,770
Broker	1,563	1,747
Inactive salesperson	778	1,070
Inactive broker	<u>77</u>	<u>135</u>
Total	<u>4,382</u>	<u>4,722</u>
Total licenses at FYE by category		
Salesperson	1,897	1,870
Broker	1,685	1,796
Inactive salesperson	914	1,194
Inactive broker	<u>87</u>	<u>149</u>
Total	<u>4,583</u>	<u>5,009</u>

BOARD OF REALTY REGULATION

	<u>FY 80</u>	<u>FY 81</u>
Failure to pay renewal fee		
Salesperson	25	30
Broker	26	24
Inactive salesperson	65	94
Inactive broker	1	4
Total	<u>117</u>	<u>152</u>

VI.

FISCAL INFORMATION

REVENUE:

Broker Original	13,760	9,810
Broker Renewal	44,545	51,385
Non-Resident Broker Original/Renewal	795	(60)
Salesman Original	11,025	11,665
Salesman Renewal	30,205	26,554
Branch Office	1,025	1,125
Address Change	16,985	18,555
Duplicate Licenses	30	10
Real Estate Other	6,010	7,930
Broker/Sales initial exam	30,345	31,575
Broker/Sales Re-Take exam	8,015	8,470
Broker/Sales Re-Schedule exam	1,490	1,225
Subdivision Notice of Intention	50	50
Publications Issued	<u>568</u>	<u>329</u>
Total Revenue	\$164,848	\$168,623

EXPENDITURES:

PERSONAL SERVICES:

Hourly wages - employees	67,038	71,294
Other compensation - board	1,800	1,575
Employee Benefits	<u>12,307</u>	<u>13,458</u>
Total Personal Services	<u>\$81,145</u>	<u>\$86,327</u>

CONTRACTED SERVICES:

Consultant & Professional Services	9,715	12,814
Data Processing Services	1,454	1,120
Legal Fees & Court Costs	1,301	3,620
Printing - Contracted	10,829	9,928
Written Exam Fees	16,727	15,338
Other - Private Legal Counsel	<u>1,724</u>	<u>748</u>
Total Contracted Services	<u>\$41,750</u>	<u>\$43,568</u>

SUPPLIES & MATERIALS:

Office	1,640	392
Photo & Reproduction	400	334
Printing - Duplicating	1,934	243
Books	<u>178</u>	<u>450</u>
Total Supplies & Materials	<u>\$ 4,152</u>	<u>\$ 1,419</u>

COMMUNICATIONS:

Telephone - Long Distance Usage	791	542
Postage & Mailing	5,298	5,664
Telephone - STS Usage	643	1,023

BOARD OF REALTY REGULATION

	<u>FY 80</u>	<u>FY 81</u>
Other - Telephone Local Service & Equipment	1	3
Other - Telephone Onetime Charge	115	0
Total Communications	<u>6,848</u>	<u>7,232</u>
TRAVEL:		
In-state Personal Car Mileage	423	1,813
In-state Commercial Transportation	241	1,092
In-state Motor Pool	3,428	2,333
In-state Other	17	18
In-state Meals	1,535	1,419
In-state Lodging	1,249	1,300
Out-of-state Commercial Transportation	432	682
Out-of-state Other	95	15
Out-of-state Meals	139	83
Out-of-state Lodging	213	200
In-state Aircraft Rental	(72)	140
Total Travel	<u>\$ 7,700</u>	<u>\$ 9,095</u>
RENT:		
Buildings	0	29
Meeting Rooms	306	179
Other - Office Equipment	1,139	0
Total Rent	<u>\$ 1,445</u>	<u>\$ 208</u>
REPAIR & MAINTENANCE:		
Office Equipment	1,086	650
Total Repair & Maintenance	<u>\$ 1,086</u>	<u>\$ 650</u>
OTHER EXPENSES:		
Advertising	18	0
Freight & Express	35	10
Dues	916	48
Registration Fees for Training	145	100
Subscriptions	241	214
Total Other Expenses	<u>\$ 1,355</u>	<u>\$ 372</u>
TOTAL OPERATING EXPENSES	\$64,336	\$62,544
EQUIPMENT:		
Office	143	1,709
Total Equipment	<u>\$ 143</u>	<u>\$ 1,709</u>
TRANSFER ADMINISTRATIVE COSTS	\$16,953	\$19,658
TOTAL ALL EXPENDITURES	\$162,577	\$170,238
TOTAL APPROPRIATION	\$182,091	\$192,083
UNEXPENDED APPROPRIATION	\$ 19,514	\$ 21,845
EARMARKED ACCOUNT BALANCE FYE	\$200,279	\$193,360

BOARD OF REALTY REGULATION

IV.

SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Misrepresentation		(79)	(73)
	Failure to represent best interest of client. ADMINISTRATIVE REPRIMAND	8	0
	Failure to provide proper supervision. ADMINISTRATIVE REPRIMAND	2	1
	Attempt to circumvent Federal Regulations. ADMINISTRATIVE REPRIMAND	1	0
	Listing agreements violated. ADMINISTRATIVE REPRIMAND	1	1
	Complaints dismissed - allegations not proven after investigation	54	59
	Dismissed by Board action - no formal complaint received	13	12
Failure to account for or remit money coming into his/her possession		(11)	(2)
	Trust account violation-SUSPENSION	3	2
	ADMINISTRATIVE REPRIMAND	3	0
	Trust account check issued for license renewal		
	ADMINISTRATIVE REPRIMAND	5	0
Demonstrating unworthiness or incompetency to act as broker or salesperson		(110)	(103)
	NSF check for license renewal. ADMINISTRATIVE REPRIMAND	36	6
	Late renewal of license. ADMINISTRATIVE REPRIMAND	27	0
	Dismissed by board action - no formal complaint received	47	96
	Felony conviction - SUSPENSION	0	1

V.

NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

Revoked		
Cancellation of Bond	3	5
Suspended	3	3
Other disciplinary action		
Administrative Reprimand	83	8

BOARD OF REALTY REGULATION

VII.	<u>BOARD MEMBERSHIP DURING BIENNIUM</u>	<u>Expiration Date</u>
	Dexter Delaney, P. O. Box 8228, Missoula, MT.	5/9/83
	Patricia Raundal, 509 Raymond St., Helena, MT.	5/9/83
	Marie Anderson, 408 Clark Ave., Billings, MT	5/9/84
	A. Tom Lund, Sr., P. O. Box 233, Hamilton, MT	5/9/85
	George Pierce, P. O. Box 30777, Billings, MT.	5/9/86

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD DURING BIENNIUM

None

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

1. Establish a recovery fund to protect the public.
2. Eliminate bonding requirement presently in the law.

BOARD OF SANITARIANS

I. GOALS AND OBJECTIVES

Goals: To assure that the maximum protection of the human environment and thus human health is provided the people of Montana by insuring that only qualified individuals are licensed under the provisions of the laws of Montana. The importance of qualified individuals in this profession is equal to other health related professions, such as physicians, pharmacists and engineering.

Objectives: To insure all applicants are qualified, review and take appropriate action on complaints and reports of improper conduct of licensees, review rules at least annually, initiate a requirement for continuing education.

II. SUMMARY OF BOARD ACTIVITIES

Three board meetings were held in fiscal year 1980, two in fiscal year 1981. The board was reestablished in the 1981 legislative session, with some changes. Major change was the elimination of the probationary certificate.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications received by category		
Sanitarian	15	11
Examinations (passed)		
Probationary	19 (18)	1 (1)
Registration, permanent	15 (10)	14 (14)
New licenses granted by category		
Probationary	19	1
Permanent registration	14	10
Reciprocity	0	1
Licenses renewed by category		
Sanitarian	33	149
Total licensees at FYE by category		
Probationary certificate holders	34	9
Permanent registration holders	138	141
Total	172	150

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

No complaints were received.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Failure to pay renewal. License declared void	7	10
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BOARD OF SANITARIANS

VI. FISCAL INFORMATION

	<u>FY 80</u>	<u>FY 81</u>
REVENUE:		
Renewals	760	3,600
Reciprocity	0	35
Exam	1,340	650
Documents	5	0
Total Revenue	\$ 2,105	\$ 4,285
EXPENDITURES:		
PERSONAL SERVICES:		
Hourly wages - employees	1,084	944
Employee benefits	187	176
Total Personal Services	\$ 1,271	\$ 1,120
CONTRACTED SERVICES:		
Legal Fees & Court Costs	0	9
Printing-contracted	103	0
Written examination fees	840	490
Total Contracted Services	\$ 943	\$ 499
SUPPLIES & MATERIALS:		
Office	1	9
Photo & Reproduction	10	0
Printing-duplicating	0	21
Total Supplies & Materials	\$ 11	\$ 30
COMMUNICATIONS:		
Telephone-Long Distance Usage	0	4
Postage & Mailing	104	119
Telephone - STS Usage	25	2
Total Communications	\$ 129	\$ 125
TRAVEL:		
In-State personal care mileage	112	72
In-State meals	11	7
Total Travel	123	79
TOTAL OPERATING EXPENSES	\$ 1,206	\$ 773
TRANSFER ADMINISTRATIVE COSTS	\$ 306	\$ 319
TOTAL ALL EXPENDITURES	\$ 2,783	\$ 2,172
TOTAL APPROPRIATION	\$ 2,867	\$ 2,172
UNEXPENDED APPROPRIATION	\$ 84	\$ 0
EARMARKED ACCOUNT BALANCE BALANCE-FYE	\$ 4,565	\$ 6,671

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

Ken Read, Student Health Service, U. of Montana, Missoula, MT.	7/1/81
Sam Kalafat, Box 494, Black Eagle, MT.	7/1/83
Jim Peterson, Dept. of Health, Helena, MT.	7/1/82

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 149, L. 1981 reestablished the board of sanitarians. Bill eliminated the probationary certificate, added one public member in place of one sanitarian on the board, and set out the educational requirements necessary for licensure.

BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS

I. GOALS AND OBJECTIVES

Establishment of a comprehensive Continuing Education Program that will be an effective tool for maintaining professional competence in the Speech Pathology and/or Audiology field.

Process licensure applications and grant licensure to qualified applicants. Renew all licensees on a biennial basis, investigate formal complaints, work with the Office of Public Instruction to resolve issues and problems that arise in the Speech Pathology/Audiology field in the public schools.

II. SUMMARY OF BOARD ACTIVITIES

Adoption of Board Rules governing Speech Pathology Aides (or technicians) and the development and implementation of forms and procedures for aides to follow.

III. STATISTICS ILLUSTRATING ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications Received by Category		
Speech Pathologists	26	19
Audiologists	7	5
New Licenses Granted By Category		
Speech Pathologists	26	19
Audiologists	7	5
Licenses Renewed by Category		
Speech Pathologists	132	82
Audiologists	21	19
Total Licensees at FYE by Category		
Speech Pathologists	273	259
Audiologists	56	58

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

No complaints received during the biennium.

V. NUMBER OF LICENSES REVOKED OR SUSPENDED OR OTHER DISCIPLINARY ACTION

No licenses revoked or suspended during the biennium
 Failure to Pay Renewal Fee 47 15

VI. FISCAL INFORMATION

REVENUE:

Speech Original/Renewal	3,275	2,050
Audiology Original/Renewal	375	475
Speech Application	1,650	1,350
Audiology Application	415	300
Late Fees	65	330

BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS

	<u>FY 80</u>	<u>FY 81</u>
Inactive Speech	0	10
Temporary Audiology	<u>0</u>	<u>10</u>
Total Revenue	<u>\$ 5,780</u>	<u>\$ 4,525</u>

EXPENDITURES:

PERSONAL SERVICES:

Hourly Wages - employees	1,351	1,507
Other Compensation - board	400	325
Employee Benefits	248	281
Total Personal Services	<u>\$ 1,999</u>	<u>\$ 2,113</u>

CONTRACTED SERVICES:

Consultant & Professional Services	169	209
Legal Fees & Court Costs	183	180
Printing - Contracted	220	272
Total Contracted Services	<u>\$ 572</u>	<u>\$ 661</u>

SUPPLIES & MATERIALS:

Office	18	29
Photo & Reproduction	33	49
Printing-Duplicating	260	307
Books	175	0
Other - Food	2	6
Total Supplies & Materials	<u>\$ 488</u>	<u>\$ 391</u>

COMMUNICATIONS:

Telephone-Long Distance Usage	90	117
Postage & Mailing	347	214
Telephone - STS Usage	20	27
Total Communications	<u>\$ 457</u>	<u>\$ 358</u>

TRAVEL:

In-State Personal Car Mileage	843	783
In-State Commercial Transportation	288	197
In-State Meals	293	204
In-State Lodging	173	136
Total Travel	<u>\$ 1,597</u>	<u>\$ 1,320</u>

RENT:

Meeting Rooms	15	0
Total Rent	<u>\$ 15</u>	<u>\$ 0</u>

TOTAL OPERATING EXPENSES	\$ 3,129	\$ 2,730
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TRANSFER ADMINISTRATIVE COSTS	\$ 397	\$ 481
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TOTAL EXPENDITURES	\$ 5,525	\$ 5,324
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TOTAL APPROPRIATION	\$ 6,178	\$ 6,362
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UNEXPENDED APPROPRIATION	\$ 653	\$ 1,038
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BOARD OF SPEECH PATHOLOGISTS AND AUDIOLOGISTS

	<u>FY 80</u>	<u>FY 81</u>
EARMARKED REVENUE ACCOUNT BALANCE-FYE	14,020	12,952

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

Shirley DeVoe, Speech, 418 Butler, Helena, MT.	12/31/81
Dr. Charles Parker, Aud., U. of M, Dept. of Comm. Science, Missoula, MT.	12/31/81
Connie R. Simonsen, Speech, 2316 Nina Clare Rd., Billings, MT.	12/31/80
Charles H. Lewis, Aud., 3507 Grizzly Ct., Gt. Falls, MT.	12/31/80
Kathleen Sauvageau, Consumer, 415 Helen Dr., Belgrade, MT.	12/31/82
Lee E. Micken, Aud., 300 N. Willson, Bozeman, MT.	12/31/83
Patricia DuBray, Speech., 2007 Miles Ave., Billings, MT.	12/31/83
Paul J. Perry, Aud., 3005 - 8th Ave. S., Gt. Falls, MT.	12/31/80

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter No. 326, L. 1981 reestablished the Board of Speech Pathologists and Audiologists until July 1, 1987. The reestablishment carried the existing statutory authority and rules.

IX. RECOMMENDATIONS FOR PROGRAMS ADMINISTERED

Establishment of a continuing education program and adoption of rules governing such a program.

STATE ELECTRICAL BOARD

I. GOALS AND OBJECTIVES

Goals: To protect the health and safety of the people of this state from the danger of electrically caused shocks, fires, and explosions. To protect property from the hazard of electrically caused fires and explosions.

Objectives: It is the prime objective of this program to determine that all persons or firms making electrical installations for others are qualified by training and experience and are properly licensed in Montana to engage in the business, trade, or calling of electrical contractor or electrician.

II. SUMMARY OF THE BOARD ACTIVITIES

Gave four examinations per year to be sure all applicants were qualified to do electrical wiring. Held four board meetings per year. Reviewed all applications to be sure each one had the experience required to become an electrician. Worked closely with the inspection division to be sure that all electricians are licensed and follow electrical code for the protection of the public.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

Applications received by category	<u>FY 80</u>	<u>FY 81</u>
Journeyman (approved)	220 (162)	120 (79)
Master (approved)	51 (13)	87 (46)
Contractors	69	65
Examinations Given by Category (passing)		
Journeyman	199 (147)	266 (235)
Master	63 (39)	91 (56)
Total	262 (186)	357 (291)
Passing Ratio	71%	8.15%
New Licenses Granted By Category		
Journeyman	155	277
Master	56	71
Contractor	69	65
Total	280	413
Licenses Renewed By Category		
Journeyman	1,116	966
Master	985	969
Contractor	575	606
Total	2,676	2,476
Total Licensees at FYE By Category		
Journeyman	1,271	1,243
Master	1,041	1,040
Contractor	644	606
Total	2,956	2,889

STATE ELECTRICAL BOARD

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
Working as an electrician while not licensed	Agreed to cease	7	0
	Applied for exam	2	0
	License confirmed	2	0
	pending-unknown	4	2
	Complaint to County Attny		
	injunction & jail.	1	0
	Prosecuted & took exam	2	0
	No action by County Attny	2	1
	Dismissed	0	1
	Fined	0	1
	Arrested	1	0
	Left state	1	0
	Applied for license	1	0
	Complaint to the Apprenticeship Bureau	1	0
	Total	24	5
Code Violations	Letter of censure	1	0
	License revoked	0	1
	30 day suspension	0	1
	Hearing scheduled	0	1
	Dismissed	0	2
	Complied with code	0	1
	Total	1	6
Hiring unlicensed electricians	Agreed to comply	7	0
	Registered as an apprentice	1	0
	Letter written	1	0
	Total	9	0
Challenge to the board regarding examinees	Hearing - dismissed	0	3
	Total	0	3

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Failure to Pay Renewal Fee		
Journeyman	86	110
Master	44	52
Contractor	32	42

VI. FISCAL INFORMATION

REVENUE:		
Electrical Contractor	28,475	33,280
Master Original/Renewal	19,770	22,975

STATE ELECTRICAL BOARD

	FY 80	FY 81
Master Delinquent	<u>405</u>	<u>175</u>
Journeyman Original/Renewal	10,711	10,220
Journeyman Delinquent	195	150
Residential Electrician Original/Renewal	0	20
Electrician Exam	5,190	2,680
Electrician Reciprocity	350	450
Electrical Code Book	<u>163</u>	<u>184</u>

Total Revenue	\$65,259	\$70,134
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EXPENDITURES:

PERSONAL SERVICES:		
Hourly Wages - employees	24,020	19,617
Other Compensation - board	1,225	1,276
Employee Benefits	<u>4,415</u>	<u>3,903</u>
Total Personal Services	29,660	24,796

CONTRACTED SERVICES:		
Consultant & Professional Services	31	299
Legal Fees and Court Costs	1,819	2,907
Printing - Contracted	766	520
Other - private legal counsel	<u>825</u>	<u>0</u>
Total Contracted Services	3,441	3,726

SUPPLIES & MATERIALS:		
Office	141	196
Photo & Reproduction	115	141
Printing & Duplicating	355	315
Books	304	196
Other - food	4	25
Other - photographic	124	0
Beverages	<u>4</u>	<u>0</u>
Total Supplies & Materials	1,047	873

COMMUNICATIONS:		
Telephone-Long Distance Usage	50	115
Postage & Mailing	1,190	1,486
Telephone-STS Usage	317	173
Other - Telephone Local Serv. & Equip	<u>1</u>	<u>1</u>
Total Communications	1,558	1,775

TRAVEL:		
In-state Personal Car Mileage	1,659	1,897
In-state Commercial Transportation	753	0
In-state State Motor Pool	1,422	2,198
In-state other	16	2
In-state Meals	1,005	1,182
In-state Lodging	995	1,242
In-state Aircraft Rental	<u>49</u>	<u>0</u>
Total Travel	5,899	6,521

RENT:		
Meeting Rooms	440	577
Total Rent	<u>440</u>	<u>577</u>

STATE ELECTRICAL BOARD

	FY 80	FY 81
REPAIR & MAINTENANCE:		
Office Equipment	72	129
Building & Grounds	10	0
Total Repair & Maintenance	82	129
OTHER EXPENSES:		
Registration Fees for Train.	0	65
Freight & Express	15	29
Goods purchased for resale	9	16
Total Other Expenses	24	110
TOTAL OPERATING EXPENSES	\$12,491	\$13,711
TRANSFER ADMINISTRATIVE COSTS	\$ 4,713	\$ 6,287
TOTAL ALL EXPENDITURES	\$46,864	\$44,794
TOTAL APPROPRIATION	\$47,183	\$49,486
UNEXPENDED APPROPRIATION	\$ 319	\$ 4,692
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$134,984	\$160,722

VII. BOARD MEMBERSHIP DURING BIENNIUM

Albert Bersanti, Box 3251, Butte, MT.	7/1/84
Kenneth Olsen, Box 31491, Billings, MT.	7/1/83
George Donaldson, Medicine Lake, MT.	7/1/82
Charles Powell, Box 5, Kalispell, MT.	7/1/85
Ralph L. Herriott, Fratt Bldg., Billings, MT.	7/1/81

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 332, L. 1981 provides that the board has no discretion on an application in which the applicant has had ten years experience or an appropriate training or apprenticeship program has been completed. The applicant meeting the requirements must be allowed to take the examination.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

Combine the licensing and inspection into one department to make it easier to locate unlicensed persons and enforce law. Automate the renewal process for quicker and more efficient operations.

BOARD OF VETERINARIANS

I. GOALS AND OBJECTIVES

Goals: The goal of the Board of Veterinarians is to provide and assure protection to the public that those people practicing or commencing to practice veterinary medicine in Montana meet educational and professional standards of competence and to maintain that competency by regulation in accordance with the statutes and rules in the best interest of the public.

Objectives: To review complaints against licensees to determine if disciplinary actions are necessary, and if so, to initiate the same. To investigate complaints against individuals practicing veterinary medicine without a license. To examine qualified applicants for licensure as a veterinarian to assure that they are competent to practice by requiring passage of a written, practical and oral examination as required. To issue annual certificate of registrations each year to licensed veterinarians who have satisfied the requirement of attendance at a continuing education course approved by the board and payment of the required fee. To review various continuing education programs and determine their pertinency and relevancy. To provide for the inspection of veterinary facilities to maintain uniform standards of sanitation and cleanliness.

II. SUMMARY OF BOARD ACTIVITIES

Four board meetings were held during the biennium, examinations were held in January and June of each year. The 1977 Sunset Law terminated the board on July 1, 1981 and after a sunset review, it was recommended to the 1981 Legislature and passed for the reestablishment of the board with other recommendations. The rules of the board were recodified pursuant to Chapter 600, L. 1979. One notice of proposed rule change and one adoption order were filed pertaining to examinations and renewals.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	FY 80	FY 81
Applications Received by Category		
Veterinarian Examination	38	46
Veterinary Technician Examination	3	0
Examinations Given by Category (passing)		
Veterinarians	36 (35)	43 (37)
Veterinary Technicians	3 (3)	0
New Licenses Granted by Category		
Veterinarians by Examination	35	37
Veterinary Technicians by Examination	3	0
Licenses Renewed by Category		
Veterinarians	574	575
Veterinary Technicians	46	9
Total Licensees at FYE by Category		
Veterinarians	623	646
Veterinary Technicians	55	N/A

BOARD OF VETERINARIANS

			<u>FY 80</u>	<u>FY 81</u>
	Temporary Permits Issued by Category			
	Veterinarians		5	6
	Renewals Verified for Continuing Education			
	Veterinarians		574	575
IV.	<u>SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION</u>			
			<u>BIENNIUM</u>	
	Competence	7	No Violation	3
			Pending	4
	Practicing without a license	8	No Action	2
			Pending	2
			Letter of Warning	4
	Fees Charged	1	No action - Formal	1
	(Visit to office)		complaint never received	
	Source of complaints was 8 from consumers, 2 from governmental agencies and 6 from veterinarians.			
V.	<u>NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION</u>			
	Revoked		0	0
	Suspended	(six months)	1	0
	Failure to pay renewal fee			
	Veterinarians		32	14
	Veterinary Technicians		9	N/A
VI.	<u>FISCAL INFORMATION</u>			
	REVENUE:			
	Veterinary Renewal		14,970	14,290
	Veterinary Restoration		950	1,150
	Veterinary Technician Renewal		530	90
	Veterinarian Initial Exam		2,850	3,375
	Veterinary Technician Exam		75	
	Total Revenue		\$19,375	\$18,905
	EXPENDITURES:			
	PERSONAL SERVICES:			
	Hourly wages - employees		3,423	4,001
	Other Compensation - Board		550	650
	Employee Benefits		627	762
	Total Personal Services		\$ 4,600	\$ 5,413
	CONTRACTED SERVICES:			
	Consultant & Professional Services		154	657
	Legal Fees & Court Costs		2,812	1,878
	Printing-Contracted		388	0

BOARD OF VETERINARIANS

	<u>FY 80</u>	<u>FY 81</u>
Other - Private Legal Counsel	700	0
Total Contracted Services	\$ 4,054	\$ 2,535
SUPPLIES & MATERIALS:		
Office	114	188
Photo & Reproduction	63	44
Printing - Duplicating	100	466
Other - Building Materials (*Never used board credited)	0	50*
Total Supplies & Materials	\$ 277	\$ 748
COMMUNICATIONS:		
Telephone - Long Distance Usage	59	52
Postage & Mailing	545	737
Telephone - STS Usage	88	88
Total Communications	\$ 692	\$ 877
TRAVEL:		
In-state Personal Car Mileage	842	1,083
In-state Meals	299	345
In-state Lodging	251	310
Out-of-State Commercial Transportation	300	0
In-state Aircraft Rental	222	0
Total Travel	\$ 1,914	\$ 1,738
TOTAL OPERATING EXPENSES	\$ 6,937	\$ 5,898
TRANSFER ADMINISTRATIVE COSTS	\$ 1,608	\$ 1,582
TOTAL ALL EXPENDITURES	\$ 13,145	\$ 12,893
TOTAL APPROPRIATION	\$13,548	\$ 13,655
UNEXPENDED APPROPRIATION	\$ 403	\$ 762
earmarked revenue account balance - FYE	\$16,017	\$ 21,834

VII. BOARD MEMBERSHIP DURING BIENNIUM AND OTHER RELEVANT INFORMATION

Duane M. Douglas, D.V.M., Box 703, Sidney, MT. (reappointed)	7/31/84
E. Wayne Boland, D.V.M., 2814 Treasure Dr. Billings, MT.	7/31/80
Douglas Delaney, Grass Range, MT. (reappointed)	7/31/85
Donald L. Buelke, D.V.M., Victor, MT	7/31/81
William A. Rogers, D.V.M., 5100 - 9th Ave. S., Great Falls, MT.	7/31/82
Harry A. Michael, D.V.M., Box 126, Worden, MT.	7/31/83
R. J. Brophy, D.V.M., 116 N. 1st, Hamilton, MT.	7/31/85

BOARD OF VETERINARIANS

The board is thoroughly dissatisfied with the length of time that has transpired when handling complaints on which they propose initiating legal action (i.e., proposed action notice sent 5/78 and hearing held 1/82; proposed legal action notice sent 5/78 and hearing held 6/80)

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Chapter 341, L. 1981 provided an act to delete citizenship as a qualification for licensure as a veterinarian; amending section 37-18-202, MCA; and providing for an immediate effective date.

Chapter 96, L. 1981 provided an act to reestablish the board of veterinarians; deleting the licensure of veterinary technicians; modifying examination schedule.

IX. RECOMMENDATIONS FOR ADMINISTRATION OF PROGRAM

The board would like the discretion to hire their own attorney, outside of the department, because they have been dissatisfied with the legal assistance provided by the state.

I. GOALS AND OBJECTIVES

Goals: To reduce and minimize the waste of groundwater resources within the state by reasonable regulation and licensing of water well contractors in the state and to protect the health and general welfare by providing a means for the development of the natural resource of underground water in an orderly, sanitary and reasonable manner.

Objectives: To process 20 applications annually, provide and grade examinations of 25 applicants yearly. Issue new licenses to 15 applicants each year and renew 250 licenses per year and ensure that licensees are currently bonded in accordance with section 37-43-306, MCA, to evaluate training and experience of 20 applicants yearly, to promptly review 20 complaints per year and provide field investigation of those complaints requiring such, to provide disciplinary hearings or rule hearings when required, to maintain vigilance concerning water wells being dug for the public by unlicensed and possibly unqualified contractors, to provide legal interpretations of exceptions under the law, to issue permits under section 37-43-103, MCA, and enforce this section with inspections, to provide information to the public, licensees, and applicants as required, to hold five board meetings per year, to seek public participation in board deliberations as required or requested, to provide a field investigation of each licensee at least once a year, to revise the examination at least once every two years, to provide an apprenticeship program setting specific guidelines, and to adopt other forms of disciplinary action rather than suspension or revocation.

II. SUMMARY OF BOARD ACTIVITIES

4 board meetings were held in FY 80 and 3 in FY 81. Field investigation was conducted on 7 out of 9 complaints, with 8 resolved in FY 80. Field investigation was conducted on 7 out of 9 complaints, with 4 resolved in FY 81.

III. STATISTICS ILLUSTRATING BOARD ACTIVITIES CONCERNING LICENSING

	<u>FY 80</u>	<u>FY 81</u>
Applications	30	30
Examinations (passed)	22(14)	29(17)
New licenses granted	25	16
Licenses renewed	220	216
Total licensees at end of FY	244	253

IV. SUMMARY OF COMPLAINTS RECEIVED AND THEIR DISPOSITION

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>		
Improper construction	Driller corrected problem (4)	6	1
	License revoked by default(1)		

BOARD OF WATER WELL CONTRACTORS

<u>TYPE OF COMPLAINT</u>	<u>DISPOSITION</u>	<u>FY 80</u>	<u>FY 81</u>
continued	court ruled for complainant (1)		
	both parties at fault (1)		
Dry well & improper construction	no action	0	1
Inaccurate Well Depth	licenses revoked by default (2)	3	1
	corrected by driller (2)		
Unlicensed contractor	driller under supervision of licensed contractor	0	1
Sand in well	no action	0	1
No well log & sand in well	unresolved at this time	0	1
Cost of well	compromised by both parties	0	1
Dry well	driller plugged well	0	1
Wrong location and improper construction	both parties at fault	<u>0</u>	<u>1</u>
Total		9	9

V. NUMBER OF LICENSES REVOKED OR SUSPENDED BY CATEGORY OR OTHER DISCIPLINARY ACTION

Revoked	2	0
Suspended	0	0
Failure to pay renewal fees - license declared void	4	0

VI. FISCAL INFORMATION

REVENUE:

Applications	3,500	3,000
Renewals	5,525	5,601
Other	<u>32</u>	<u>33</u>
Total Revenue	\$ 9,057	\$ 8,634

BOARD OF WATER WELL CONTRACTORS

EXPENDITURES:	FY 80	FY 81
PERSONAL SERVICES:		
Hourly wages - employee	2,488	2,680
Other compensation - board	180	120
Employee benefits	450	497
Total Personal Services	\$ 3,118	\$ 3,297
CONTRACTED SERVICES:		
Consultant & Professional Services	1,487	786
Legal Fees & Court Costs	1,492	1,026
Printing contracted	156	130
Private legal counsel	733	0
Total Contracted Services	\$ 3,868	\$ 1,942
SUPPLIES & MATERIALS:		
Office	204	13
Photo & Reproduction	34	41
Printing - Duplicating	100	51
Total Supplies & Materials	\$ 338	\$ 105
COMMUNICATIONS:		
Telephone - Long distance usage	38	7
Postage & Mailing	293	325
Telephone - STS usage	33	18
Total Communications	\$ 364	\$ 351
TRAVEL:		
In-state personal car mileage	1,193	777
In-state meals	334	166
In-state lodging	423	130
Total Travel	\$ 1,950	\$ 1,073
TOTAL OPERATING EXPENSES	\$ 6,520	\$ 3,471
TRANSFER ADMINISTRATIVE COSTS	\$ 1,113	\$ 1,196
TOTAL ALL EXPENDITURES	\$10,751	\$ 7,964
TOTAL APPROPRIATION	\$12,352	\$12,651
UNEXPENDED APPROPRIATION	\$ 1,601	\$ 4,687
EARMARKED REVENUE ACCOUNT BALANCE-FYE	\$19,875	\$20,573

VII. BOARD MEMBER NAME, ADDRESS AND TERM OF OFFICE

Wesley Lindsay, Lindsay Drilling, Clancy, MT. 7/1/82
 Ron Guse, Dept. of Natural Resources, Helena, MT.
 Don Willems, Dept. of Health, Helena, MT.
 Pete Norbeck, Montana Bureau of Mines, Butte, MT.
 Ted Benes, 3143 Prairie Dr., #2, Billings, MT. 7/1/83
 Wayne Van Voast, Bureau of Mines, 6th Ave. N., Billings, MT

VIII. LEGISLATIVE OR COURT ACTION AFFECTING THE BOARD

Scheduled for termination on July 1, 1983 and Sunset Review before 1983 legislature.

IX. RECOMMENDATION FOR ADMINISTRATION OF PROGRAM

Implementation of specific apprenticeship program. Implementation of alternate forms of disciplinary action.

500 copies of this publication were produced at a unit cost of \$2.61 per copy, for a total cost of \$1,305.55 which includes \$1,155.55 for printing and \$150.00 for distribution.